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State Building: the case of the European Union's Common Foreign and Security Policy

By

Jane Elizabeth Harrold BA MA

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requirements for the degree of Doctor of Philosophy in
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Department of Politics and International Studies

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Declaration

I, Jane Elizabeth Harrold, declare that there is no material contained within this thesis that I have used before or that has been published. The thesis is all my own work, unless otherwise indicated.

The thesis has not been submitted for a degree at another university.

Abstract

The aim of the thesis is to provide an understanding of the practical and conceptual significance of foreign, security and defence policies within the changing epistemology of the state, and the impact of the development of such policies upon the process of European integration.

In order to achieve this analysis the thesis proceeds by examining the linkage made in traditional International Relations and Strategic Studies discourse between the state and security before considering alternative concepts whereby the state is becoming detached from its role as the primary provider of security in the international system. This is followed by an examination and assessment of the main theories of integration in International Relations. An historical bridging chapter then highlights the relationship between foreign and security policy and the process of European integration. The two core empirical chapters focus upon the Common Foreign and Security Policy (CFSP) and the European Security and Defence Identity (ESDI) and are linked by a short chapter assessing the significance of the second Treaty on European Union, concluded at Amsterdam. The former traces factors leading to the inclusion of CFSP into the Treaty on European Union (TEU) at Maastricht followed by an outline of the institutional structures established and an assessment of CFSP in operation. The latter considers the factors promoting and preventing the EU's acquisition of a defence capability. In particular attention is drawn to the significance of reform within the Atlantic Alliance, the future of the Western European Union (WEU) and the national positions of the British and French governments. The content of these chapters has required constant updating as circumstances change. A great deal of information for these chapters is, therefore, based two series of elite interviews, the first with British officials and Members of the European Parliament conducted during the summer of 1997; the second with personnel from EU, WEU and NATO institutions, conducted in March 1999. Finally a conclusion is reached as to the significance of such developments in assessing the nature of the European Union.

List of Abbreviations

ACP	African, Caribbean and Pacific Group
AWACS	Airborne Warning and Control System
BTO	Brussels Treaty Organisation
C2	Command and Control
C21	Command, Control and Intelligence
C3	Command, Control and Communications
CAP	Common Agricultural Policy
CEEC	Central and East European Countries
CESDP	Common European Security and Defence Policy
CFSP	Common Foreign and Security Policy
CJTF	Combined Joint Task Force
COREPER	Committee of Permanent Representatives
CSCE	Conference on Security and Co-operation in Europe
DG 1A	Directorate General (of the European Commission) 1A
DG E	Directorate General (of the Council of Ministers) E
EC	European Community
ECSC	European Coal and Steel Community
ECSDP	European Common Security and Defence Policy
EDC	European Defence Community
EEC	European Economic Community
EMU	Economic and Monetary Union
EP	European Parliament
EPC	European Political Co-operation

EPU	European Political Union
ESDI	European Security and Defence Identity
EU	European Union
FAWEU	Forces Answerable to the Western European Union
IFOR	Implementation Force
IGC	Intergovernmental Conference
NAC	North Atlantic Council
NACC	North Atlantic Co-operation Council
NATO	North Atlantic Treaty Organisation
NSC	New Strategic Concept
NGO	Non-Governmental Organisation
OECD	Organisation for Economic Co-operation and Development
OSCE	Organisation for Security and Co-operation in Europe
PHARE	Poland-Hungary: Aid for Reconstruction of the Economy
PoCo	Political Committee
PPEWU	Policy Planning and Early Warning Unit
QMV	Qualified Majority Voting
RUSI	Royal United Services Institute
SACEUR	Supreme Allied Commander Europe
SEA	Single European Act
SFOR	Stabilisation Force
TEU	Treaty on European Union
UN	United Nations
UNHCR	United Nations High Commission for Refugees
UNPROFOR	United Nations Protection Force

WEAG West European Armaments Group

WEU Western European Union

Introduction:

State Building? The case of the European Union's Common Foreign and Security Policy

The starting point of this thesis is an essentially realist/neo-realist assumption about the state as an international actor in an anarchic system, dominated by the security dilemma and the monolithic character of its constituent units. Within such a system the primary concern for any state is the provision of security through the accumulation of military power. In this context the European Union (EU), as a system of integration leading to supranational governance, appears either anomalous, explicable during the Cold War as the product of the unique opportunity afforded West European states by nuclear protection of the United States (Waltz 1979), or it will be required to take on the characteristics of the dominant international unit i.e. the state. However, such an approach appears rather simplistic, particularly in the light of contemporary discourses on the state and security. Within this debate the state is becoming detached from security, which is being reconfigured at alternative levels. In this context the EU could be regarded as part of this process or an attempt by the member states to retain control over the last bastion of state power. Clearly the EU itself does not constitute a state as it lacks a central sovereign authority and its member states retain a significant degree of independence. Nevertheless, the Common Foreign and Security Policy is indicative of a collective will to produce a distinct EU identity on the global arena, or be it one which finds itself in conflict with the persistence of individual national interests. Consequently any discussion of EU foreign policy falls within 'the wider debate about European integration and, as such, is a very live political issue' (White 2001, p.37). What this thesis aims to do, therefore, is to place the development of the EU's foreign,

security and defence policy within the context of changing discourses on the state and security, using theories of European integration to assess the processes through which this is being achieved.

The nature of the EU as an actor on the international arena is, as Allen and Smith (1990) observe, 'a matter of contention and debate, reflecting its often elusive and intangible nature' (p.19). It may be alternatively viewed as an entity evolving into a federal state or as a hybrid inter-governmental organisation. However, given the difficulties involved in establishing its precise nature, the EU is frequently regarded as *sui generis*, with no pre-ordained destiny as a super-state. This is reflected in contemporary EU studies by the predisposition to look beyond conceptualisation of the 'nature of the beast,' accepting the EU as simply a polity where decision-making can be analysed using the same conceptual tools as domestic policy (Caporaso 1996, Hix 1994, Risse-Kappen 1996). Hence a debate has emerged between those who promote a Comparative Politics approach (ibid.), and those who continue to apply traditional International Relations integration theories. This thesis will conform to the International Relations approach, for, as proponents of the Comparative Politics approach would concede, there are certain sectors of EU policy for which such an approach remains the most valid. Hix distinguishes between EU 'politics' and EU 'integration.' Politics in the EU is 'not inherently different to the practice of government in any democratic system' (Hix 1994, p.1) and is suggestive of a certain degree of 'stasis' (ibid. p.12). In contrast integration theory describes a 'process' whereby formerly independent states join together to form some sort of over-arching structure (ibid. p.13). Similarly, Hix recognises that 'in areas where the EC member states remain sovereign, International Relations theories of 'co-operation' may produce

accurate and parsimonious explanations' (ibid. p.23). The Common Foreign and Security Policy (CFSP) is one such area 'where intergovernmental bargaining dominates the decision-making process' (Risse-Kappen 1996, p.67).

In adopting such an approach it is, therefore, necessary to consider 'the nature of the beast' and its relationship with the external environment. The EU already possesses a large degree of internal and external 'sovereignty' in economic affairs through the Treaties establishing the European Communities (TEC). The EU is endowed with a Common External Tariff, a Common Commercial Policy, a Common Agricultural Policy and the right to make trade and association agreements with third parties. While such attributes may be confined to the 'low' politics branch of external relations, they do contribute to the perceived 'weight' of the Union on the international stage. This is reinforced by the increasing importance attached to economic issues in the international political economy. Thus 'the cumulative impact of its external activities might suggest that the European Union was a significant actor in the global international system' (Bretherton & Vogler 1998, p.1). However, the EU continues to lack similar authority and weight in the political sphere. As such the EU's international character is captured by Allen & Smith's concept of 'presence,' whereby it 'is neither a fully-fledged state-like-actor nor a purely dependent phenomenon in the contemporary international arena. Rather, it is a variable and multi-dimensional presence, which plays an active role in some areas of the international system and a less active role in others.' (1990, p.20). However, it is the contention of this thesis that if the EU is to develop beyond mere 'presence' it must develop the ability to formulate its own outlook and defend its interests on the international arena, i.e. a foreign policy, and the ultimate means of implementation i.e. military capability. In so doing, it is proposed that the EU will be

assuming some of the key characteristics of the state. Such an argument is open to attack on two fronts. Firstly, that it is erroneous to assume that the EU is a 'nascent state' but rather a completely new level of governance in Europe (Allen 1978). And secondly, that the proper place to look for the 'actorness' of the EU is in its external economic relations (Smith 1998). Such criticisms may well be valid, however, the acquisition by the EU of a foreign, security and defence policy continues to inspire images of a European state among politicians and journalists, informing much of the public debate about European integration, and therefore calls for serious debate and research.

In order to achieve this analysis the thesis proceeds by developing various concepts of the 'security state' (i.e. the state defined as the primary provider of security in the international system) from International Relations theory and its sub-branch Strategic Studies. The focus, therefore, is on the significance of the theoretical relationship between the state and security. By examining concepts of the state, security and foreign policy a framework for analysis will emerge in which conventional assumptions regarding the synthesis of these concepts are challenged by changes in the substance and structure of international governance. This is reflected in the transformation of the security agenda and in the perceived roles and functions of states. Both these processes, it is suggested, have implications for the conceptualisation of the security state and the European Union, as it aspires to provide and project security for its citizens. The second theoretical chapter considers the utility of the main theories of integration as tools for understanding the development of state-like structures, within the context of changing perceptions of the state and security. This will also provide a basis for the identification of

integrationist or non-integrationist forces throughout the empirical section of the thesis. The following chapter then highlights the historical significance of the relationship between foreign and security policy and the process of European integration.

The two core empirical chapters focus upon CFSP and the European Security and Defence Identity (ESDI) and are linked by an assessment of the significance of the reforms introduced by the second Treaty on European Union, concluded at Amsterdam in 1997. The former traces factors leading to the inclusion of CFSP into the Treaty on European Union (TEU) at Maastricht followed by an outline of the institutional structures established and an assessment of CFSP in operation, in terms of both its integrationist potential and effectiveness as foreign policy. This focus on the two intergovernmental conferences on the TEU inevitably leads the thesis to emphasise the interaction of national ministries in determining the character of CFSP, at the risk of overlooking the input of Brussels-based experts at working-group level (White 2001, p.100). However, while it is recognised that multiple levels of governance operate in CFSP, the ‘big bang policy-making,’ such as negotiating framework treaties, continues to reflect essentially intergovernmental decisions (Sørensen 1997, p.263). This is also true of the chapter on ESDI, which considers the factors promoting and preventing the EU’s acquisition of a defence capability. In particular, attention is drawn to the significance of reform within the Atlantic Alliance, the future of the Western European Union (WEU) and the national positions of the French and British governments. Finally a conclusion is reached as to the significance of such developments in assessing the nature of the EU.

Methodology

Having established a theoretical framework, based around concepts of the security state and theories of integration, it was necessary to identify the empirical data to be utilised in order to test the overall thesis. Given the nature of the subject primary sources were difficult to come by, particularly in the United Kingdom. This could be regarded as an occupational hazard given that one of the main interests in studying foreign and security policy is its special status as an area of government policy, subject therefore to greater restrictions on public access to government documents. This problem is further compounded by the decision-making procedures within the European Council and Council of Ministers, which remain essentially closed to public scrutiny. Subsequently it has been necessary to draw upon statements as reported by the (quality) press; this inevitably entails the risks of miss-reporting and contextual dislocation. Indeed, the inevitable reliance on secondary sources when dealing with such sensitive issues as foreign and security policy provides one of the most difficult challenges to producing research based upon accurate evaluation of the facts. The art is therefore in the evaluation but as with all art it is the artist (or researcher) who must judge what merits attention and what can be dismissed. Such a process is bound to be flawed.

Nevertheless, it has been possible to overcome some of the deficiencies in the availability of primary documentation. Political speeches and core EU documents have been accessed using the internet. However, while proving an invaluable source of material, internet sources are restricted to official government/EU statements and consequently fail to provide an insight into the behind-the-scenes negotiations that lead to the production of these texts. One means employed to overcome this

difficulty was to conduct a series of interviews with those involved, at some level, in the decision-making process. Again, the sensitive nature of the subject restricted access to an extent, although this was partially overcome with regard to access to EU, WEU and NATO officials by my own connections within the British armed forces. As a result it was possible to gain some insight into the workings of CFSP and ESDI, making up for some of the short falls in the primary documentation available. Indeed, these interviews, conducted between March 22nd – 25th 1999, proved to be of especial interest taking place one week after the entire European Commission had resigned and in the very week NATO started its bombing campaign against Yugoslavia! Additional interviews were conducted with members of the European Parliament's Foreign Affairs Committee, officials from the British Foreign and Commonwealth Office and one former British Minister of State who had been involved in the Maastricht negotiations. The approach adopted within these interviews was to question the subjects regarding their personal experiences of working within the environment of CFSP and their perceptions of how the EU was developing in terms of political integration and thus to substantiate (or not) the argument being evolved from secondary sources. An additional insight was also provided by highlighting differing institutional cultures, between civilian and military and national, intergovernmental and supranational level actors.

Structure

Firstly it is necessary to establish those qualities commonly associated, in traditional International Relations discourse, with the modern state as a unique actor in international relations. In particular, the apparent significance of military power and external sovereignty in a state's make-up needs to be defined. Political theorists since

Thomas Hobbes have defined the state in terms of its relationship vis-à-vis society, in which the need to provide external security is more or less assumed as a precondition for state-society relations. Max Weber, however, provides a useful structural definition of the state, formed around four independent elements - monopoly, territory, legitimacy and force. No one element can exist without the other, but it is the exclusive right to use force, which alone distinguishes the state. The danger here is to be drawn into a circular argument whereby it is established that a state possesses certain attributes, the EU does not have these, therefore to become a state the EU must acquire them. This leads to a restrictive approach, overlooking the significance of the EU as part of the transformation of the nature of governance in the international system. Indeed the EU could be constructed as either a dependent or independent variable in this process, whereby it is both a cause and/or a consequence of change.

An investigation of International Relations theory (Waltz, Hoffmann, Koehane, Morgenthau, Buzan, and Nye) fails to produce a comprehensive definition of the state. The main schools of rationalist thought, from Realism to Liberalism/Idealism, fail to fully conceptualise the state, which is subsequently either assumed or dismissed as a unit of analysis. However, it is possible to glean an image of the state as a legally based organization of people on a territorial basis, which constitutes a unique actor on the international stage. It is unique because it alone possesses the capability to decide the life and death of its and its neighbours' population. Moreover, the possession by the state of sovereignty further sets aside the state as a unique actor in international relations. Sovereignty is commonly defined as 'supreme legitimate authority within a territory' and recognition of such authority by similarly endowed entities. As such sovereignty constitutes a dual faceted concept, with implications both for the internal

workings of the state and for the international states system. Differences of opinion emerge, however, in the debate over the extent to which 'supreme authority' can be delegated or even shared among states before it is effectively lost. It is this controversy, when applied to relationship of EU member states to the EU itself, which injects sovereignty with its current potency in the field of European integration.

However, the status of the state as the most important and powerful international actor is increasingly challenged by the effects of globalisation, which make national regulation increasingly problematic, and by the rise of international and supranational institutions, of which the EU is the most sophisticated. Within this context the role and structure of the state is being transformed, as is evidenced through an analysis of contemporary discourses on security. Conventionally defined as 'a condition of the state, to be achieved by the state through the instrumentality of state military power,' (McSweeney 1999, p.36) security has traditionally been conceived as a highly state-centric concept. However, particularly since the end of the Cold War the nature of security is perceived to have changed both in terms of the security agenda and, perhaps most significantly, the assumption that the state is the primary referent object of security. These two processes are related; as economic, social, environmental and demographic issues come to be viewed increasingly in terms of posing a threat that needs to be addressed, so the unit for addressing these issues is also redefined, downwards towards the individual and society, and upwards to the regional and global level. This poses a fundamental challenge to the conceptualisation of security as primarily guarding 'the state against those objective threats that could undermine its stability and threaten its survival' through the utilisation of its

monopoly over the legitimate use of force. (Lipshutz 1995 p.5) Moreover, it is necessary to recognise that the changing perception of security reflects not only the transformation of the international system, precipitated by the end of the Cold War and the spread of globalisation but also, potentially, a fundamental shift in the nature and role of the state (Clark 1998) and therefore, by extension, perceptions of the evolution of the EU. The EU may thus be alternatively viewed as an emerging new state that needs to be made secure in the traditional national security sense, as simply a variant of classic liberal collective security or as the product of changing concepts of security. Similar issues are confronted when considering foreign policy, another overtly statist concept, which is challenged by globalisation's blurring of the distinction between the domestic and the foreign and the increasing salience of economic, cultural, social and environmental issues on the global agenda.

The second chapter will evaluate some traditional IR theories of integration as a means to assess how the EU could be regarded as evolving state-like qualities. Integration may be conceived of as a condition, whereby hitherto separate units have become inexorably linked within a system of mutual interdependence (Deutsch, 1968) or as a process whereby economic, social and political activities under national control are voluntarily surrendered to be tackled as common problems at a 'supra-national' level (Haas, 1968). Beyond such definitions there is little consensus concerning abiding or universal properties attributable either to the internal dynamics or end state of integration. There is no key dependent variable; integration is a variable condition. These continual 'paradigmatic shifts' (O'Neill, 1996) provide the basis for political inquiry.

Amongst the key theories those of particular interest include functionalism (Mitrany), neo-functionalism (Haas, Schmitter, Hoffman & Nye), and federalism (Wheare, Riker, Burgess). Such an analysis will in itself add little to the integration debate. It is therefore necessary to apply and adapt these, and other, theoretical approaches to include an analysis of the process whereby foreign and security policy is being incorporated into the EU in the possible anticipation of the emergence of a European state.

Since the origins of the European enterprise member states have sought to increase their weight on the international arena through increased co-operation and a co-ordination of foreign policy. Foreign, security and even defence policy have been on the European agenda since the institutional construction of Europe began in the late 1940s, culminating in the defeat of the European Defence Community in 1954. This failure has been identified as marking the end of the post-war 'federalist' phase of European integration (Taylor 1975), thus demonstrating the significance of foreign and security/defence policy making within the emerging European Community. Foreign policy returned to the European agenda in 1970 with the introduction of European Political Cooperation (EPC), an inter-governmental framework for policy coordination that remained outside the Community treaties until the Single European Act in 1986. As a result EPC provided an alternative to functional/neo-functional or federal integration, contributing to the political unity of the EC while preserving the national independence of the member states in foreign and security policy (Ifestos 1987).

However, with the collapse of Communism in Eastern Europe and the fall of the Berlin Wall in 1989, the whole nature of security in Europe changed. As Waever (1995) observes, during the Cold War security ceased to be an issue between the member states, while the United States and NATO provided defence against any threat from the Soviet Union and its allies. With the collapse of the bipolar system integration once again became a security issue, as the alternative, fragmentation, re-entered the agenda (Weaver 1995). Moreover, as the US reduced its forces and NATO reformed, the political pressure for Europe to deal with crises and threats to security on its own borders mounted. Political Union, including a common foreign and security policy, was therefore a major priority of the 1991 Intergovernmental Conference (IGC). Indeed, the Treaty of Maastricht proclaims, 'A common foreign and security policy is hereby established.' (Article.J) and anticipates '...the eventual framing of a common defence policy which might in time lead to a common defence.' (Art.J.4, 1) However, CFSP remains outside the European Community Treaties, constructed instead as a second 'pillar' of European Union. Nevertheless an analysis of the political debate surrounding the construction and ratification of the Maastricht Treaty provides both a test of contemporary integrationist pressures and an assessment of the significance of foreign and security/defence policy.

A mark of the difficulties encountered at Maastricht in reaching an agreement was the intention, written into the Treaty, to hold a further IGC in 1996. CFSP, in particular the future of the WEU as the 'defence arm' of the Union, was expected to dominate the agenda. However, in the wake of the difficulties encountered with the ratification of Maastricht only limited reforms were possible under the ensuing Treaty of Amsterdam. Nevertheless, an investigation into the inputs and outputs of

the Reflection Group, formed to provide an open forum for debate, and the process of negotiation leading to the second treaty on European Union provide an interesting, if not encouraging barometer of integrationist trends.

In addition to the analysis of CFSP the thesis will assess the probability of the inclusion of defence within the 'pillared' structure of European Union, as the ultimate mark of the security state, capable of deploying military force to protect and project its interests. This will require an examination of the relationship between the EU and NATO, in particular the role of the Western European Union, and the national positions of key member states. The Treaty of Maastricht establishes that the WEU will 'elaborate and implement decisions and actions of the Union which have defence implications.' (ArtJ.4.2). The 1996 IGC failed to move entrenched national positions, most notably the British, beyond the Maastricht compromise. However, the British position appeared to change dramatically in December 1998 with the Anglo-French declaration at St. Malo, with the result that member states were able, at the Helsinki European Council Summit in December 1999, to agree terms for the inclusion of WEU functions into the second pillar. Meanwhile, at the operational or functional level, increased European co-ordination has developed as of necessity to deal with peace keeping and humanitarian tasks incorporated, from the WEU, into the Amsterdam Treaty.

Having considered concepts of the state and security, undertaken an investigation of integration theories and analysed the progress made in developing the EU's foreign and security policy, the thesis will conclude by assessing the impact of contemporary epistemological trends on the conceptualisation of the nature of the EU as an

international actor. In particular the continuing utility of traditional IR tools in assessing the institutional development of the EU will be considered, together with an attempt to apply contemporary approaches to the state and security to the EU as it evolves a security (and defence) identity. Finally, an attempt will be made to characterise the relationship between foreign policy, security, defence and the state in Western Europe at the turn of the twenty-first century and ultimately to determine whether the EU is moving towards a structure that might be defined in terms of statehood.

The Security State: From Security provider to consumer (?)

If, as Hedley Bull asserts, 'The starting point of international relations is the existence of states...' (1977, p.8) then the evolving function and structure of such entities or actors is of crucial importance to the discipline as a whole. Even if the aim of much contemporary research is to establish the transcendence of state borders and authority, it must first be established exactly what it is that is being transformed and the extent of that transformation. So, what distinguishes the state from other institutions? What are its core functions? Could alternative actors accomplish these? Is, in fact, the Westphalian state, as a historical construct, being replaced by an entirely new form of governance at the local, regional or global level? Or is the state merely undergoing a functional review, devolving authority upwards and downwards, in an attempt to cope with international and domestic change? Such general questions hardly provide the sound basis of a thesis but they do at least provide a point of departure - that the centrality of the state in international relations is being fundamentally challenged.

Of all the areas of state activity the one function perhaps most closely associated with state power is security; as Michael Zürn observes, 'that the principle function of the state is to provide security against external forces can hardly be contested' (1995, p.151). Indeed, such is the overwhelming presence of the state in security discourse that is difficult to develop a concept of security that does not equate to 'national' security (Buzan 1991, Lipshutz 1995, McSweeney 1999)¹. However, particularly since the end of the Cold War, the nature of security, or at least the perception of

¹ Although it is a general fault of traditional security studies to omit any developed concept of the state.

what amounts to a security issue, appears to be undergoing a transmutation. Global forces or 'globalisation'² is viewed as impinging upon the state by transforming the security environment, both internally and externally, diminishing the state's capacity to produce security (Clark 1999). Consequently, the basic contract between the individual and the state, i.e. the provision of security, is challenged. As states lose their ability to produce security so instances of inter-state conflict also decline, and with it the 'original backbone of the nation state is turning to jelly' (Mann 1999, p.257). Meanwhile, by challenging the nature of security itself, broadening the range of security issues to include the economic, environmental, cultural and demographic, globalisation itself could be regarded as presenting a threat to (national) security. Moreover, through the blurring or transcendence of state borders, the traditional, but arguably always tenuous, distinction between high and low politics is also challenged, and with it the notion that foreign policy forms a distinct and especially sensitive realm of government.

However, the proposition that globalisation is leading or will lead to the complete transformation of the international states system is not universally accepted or indeed totally proven. In the realm of security studies it is questionable whether globalisation implies anything new. Advances in military technology and the inability of most states to deploy the full range of military capabilities have long since led to the 'internationalisation' of security through organisations such as NATO and increasingly, and most significantly from the perspective of this thesis, the European Union (Guéhenno 1998-99).

² Originally conceived in economic terms as the interconnectedness of capital, production, ideas and cultures, the globalising process, whereby state borders are transcended and governments by-passed, has lent weight to the idea that the state has become obsolete. This process has profound implications for the study of security as traditionally defined in terms of state or national interests.

This leads to the central proposition of the thesis - that the acquisition, on the part of the European Union, of a foreign and security policy would lead to a fundamental metamorphosis in the nature of the Union, into something approximating a supranational European state. In setting out on such an exercise it should not, however, be ontologically assumed that the EU would inevitably develop into a 'state'. As John Ruggie (1993) points out, we may be wrong 'to visualise long-term challenges to the system of states only in terms of entities that are institutionally substitutable for the state' (p.143). And that, in fact, the Union 'may constitute nothing less than the emergence of the first truly post-modern international political form' (p.140). However, it would be impossible to judge whether the EU goes, potentially, beyond the state, without first having some concept of the state itself, in particular, the relationship between state and the provision of security.

The Origins of the State and the need for Security

The relationship between the state and the provision of security can be traced back to the early evolution of the modern state in Europe. As the feudal order in Europe evolved towns and cities began to grow as centres of trade and manufacturing, together with the rise of a wealthy commercial class. This commerce required order and security, an authority to provide roads, commerce and a bureaucracy. Meanwhile, the kings challenged the authority of the Catholic Church above them and nobles beneath, requiring the accumulation of military manpower and resources. A reciprocal relationship subsequently developed whereby the government provided the secure environment in which commerce could flourish, which in turn, provided the means and the finance for wars of expansion. Thus 'direct connections can be

traced between a growth in the requirement for the means of waging war, an expansion in processes of extraction, and a concomitant formation of state executives and administrative offices to organise and control these changes.’ (Hoffmann 1995, p.56, see also Tilly 1990, p.15) As the scale of war and the pace of technological innovation escalated, so the most successful states in warfare became those able to mobilise their resources most effectively. However, as the state came to rely more upon its population for the means of its military strength, so it became necessary to reward the people for their sacrifices with a share in government. (Dahl 1989, p.247) The requirements of war, therefore, acted as a significant, though not the exclusive, factor in the evolution of the democratic state.

The first coherent theories of the state began to appear as the modern state emerged from the collapsing of the feudal order in the sixteenth and seventeenth centuries. These were turbulent times during which the establishment of structures capable of providing individual and state security were a primary concern. Indeed, the need to provide order, both internally and externally, were primary motivating factors behind the whole process of state-building. This was reflected in the philosophy of Thomas Hobbes. Writing at the time of the English Civil War, Hobbes’s primary concern was with the establishment and maintenance of order. According to Hobbes men are naturally egotistical and competitive, consequent pursuit of their own interests therefore naturally leads to conflict. This is the rather gloomy state of nature, characterised by ‘a perpetual and restless desire for power after power, that ceaseth only in death.’ (Hobbes 1968, p.161)

However, this state of nature, or anarchy, clearly does not exist in the best interests of men who realise the need to create some over-arching authority. Men therefore agree to sacrifice their right of self-government in return for the establishment of order. This is to be achieved through the enactment of a 'covenant' by which a single ruling authority, 'Leviathan', is given the right to govern those that have consented to the covenant. Men thus accept limits upon their own freedom of action in return for an assurance that their own life and property is protected. In so doing the state is accorded unlimited, unchecked power, otherwise it would be incapable of fulfilling its roll; 'Covenants without swords are but words, and of no strength to secure a man at all.' (Hobbes 1968, p.223)

The main implications of Hobbes's thought apply to the internal workings of a state, however, as Smith (1994) observes, public power is essential to analysis of the state on the international arena: 'The notion of rule, and its association with the right or power to enforce the state's will, is central to not only to the state as domestic actor but also to the notion of foreign policy' (Smith 1994, p.23). Consequently, the ability of a state to enforce its will at home will impact upon its effectiveness as an international actor (ibid.). The importance of internal order and security is underlined by Weber's concept of the state, as formed around four interdependent elements - monopoly, territory, legitimacy and force. Weber defines the state thus:

'It processes an administrative and legal order subject to change by legislation, to which the organised corporate activity of the administrative staff, which is also regulated by legislation, is oriented. This system of order claims binding authority, not only over the members of the state, the citizens, most of whom have obtained membership by birth, but also to a very large extent, over all action taking place in the area of its jurisdiction. It is thus a compulsory association with a territorial basis. Furthermore, to-day, the use of force is regarded as legitimate only so far as it is either permitted by the state or prescribed by it...The claim of the modern state to monopolise the use

of force is as essential to it as its character of compulsory jurisdiction.’ (Weber, 1966 p.156)

No one of these elements can exist without the other three and visa versa. This gives the definition its coherence (Hoffmann 1995, p.35). Of the four elements it is the exclusive right to use force which alone distinguishes the state (Gerth & Mills 1991, p.78). Indeed, Weber quotes Lenin with approval in his observation at Brest -Litovsk that ‘Every state is founded on force.’ (ibid.). As Hoffmann observes; ‘Force (it might be said) provides the conceptual ‘glue’ which renders the interrelated attributes coherent and thus constitutes the basic element of a structured and thus coherent definition of the state.’ (Hoffmann 1995, p.37). The monopoly of coercive power is a means to an end that is specific to the state, namely the imposition of a certain ‘*kind* of order on society which no other institution is capable of doing.’ (Hoffmann 1995, p.70) The state is not the only organisation to *claim* a legitimate monopoly to the use of force; indeed the state itself makes such a claim because it finds itself challenged. (ibid. p.75) Once a state loses its monopoly of the means of coercion, it is unable to retain the other elements of statehood and will cease to exist.

The concepts of the state outlined above provide a useful, dual basis from which to commence an investigation of key theories of the state and security in international relations as might be applied to the EU and CSFP. Firstly, they introduce the concept of the sovereign state that enjoys ‘*supreme legitimate authority within a territory.*’ (Philpott 1995, p.357) Secondly, they provide the epistemological basis of traditional thinking about inter-state politics, as a discourse between territorially defined actors, each free from the interference of other such entities and denying the

existence of any over-riding governing authority. Sovereignty is therefore, as Bull points out a dual-faceted concept:

‘On the one hand, states assert, in relation to its territory and population, what might be called internal sovereignty, which means supremacy over all other authorities within that territory and population. On the other hand, they assert what may be called external sovereignty, by which is meant not supremacy but independence of outside authority.’ (1983, p.8).

Consequently Hobbes’s vision of an anarchic international system is, potentially, given substance as the existence of sovereignty precludes the possibility of an international form of governance above the state. However, it may also be possible to view sovereignty in institutional terms as providing a ‘constitution’ for international relations whereby the ‘norms of sovereignty’, entailing mutual respect and non-interference provide commonly agreed upon rules that define the holders of sovereignty and their prerogatives (Philpott 1995, p.358). International anarchy, therefore, ‘does not mean the absence of government *per se*, but rather that government resides in the units of the system.’ That these units all claim sovereignty ‘automatically denies recognition of any higher political authority, [therefore] a system of sovereign states is by definition politically structured as an anarchy.’ (Buzan 1991, p.21)

It is, however, increasingly difficult to maintain the distinction between internal and external sovereignty, in analytical let alone practical terms (Camilleri & Falk 1992, p.139). The proliferation of issues over which the state, as a result of the pressures of globalisation and interdependence, has little control, even within its own borders, throws some doubt upon the continuing relevance of a concept such as sovereignty, with its emphasis on the supremacy of the state. The existence of trans- or multinational companies, the global enforcement of human rights, international law and

international organisations further exacerbate this situation, through the emergence of non-state forms of authority in world politics. Consequently, it is no longer possible to talk about sovereignty, internal or external, in absolute terms. Therefore, in order to judge the significance of the transfer of authority over foreign and security policy, it is necessary to determine what exactly is meant by sovereignty, and whether it is possible to define it in terms allowing for a certain degree of bargaining and pooling.

In considering what it is that makes a state sovereign, and therefore recognised as such by other states, Alan James (1986) provides four examples of the perspectives from which sovereignty might be analysed: political, legal, jurisdictional and moral (the first three will be considered below). In an attempt to avoid the conclusion that sovereignty is simply what states say it is, James also formulates his own definition of sovereignty, as ‘constitutional independence’. It is ‘constitutional independence’ that ‘automatically gives it (the sovereign state), so far as other states are concerned, full international capacity, whereas the international activity of a non-sovereign state is based on the specific grant or permission of its sovereign superior’ (James 1986, p.27).³

Sovereignty, viewed as political independence, recognises the constraints imposed upon the actions of states in an anarchic system; ‘external sovereignty...means freedom to conduct an entirely successful foreign policy...Theoretically this freedom is absolute but an international system consisting of fully sovereign states is ...unthinkable.’ (Frankel 1969, p.38). Sovereignty is, therefore, seen essentially as a

³ For the most part the EU exercises ‘sovereignty’ at the behest of member states, even if perceived as deviating from the original agreement.

matter of the power to enact certain foreign policy options. It can never be complete or total and is apparently quantifiable. Consequently it is easily lost, for example, through the membership of an international organisation which will inevitably place restrictions on a state's freedom of action. However, problems soon arise in making sovereignty synonymous with power, not least of which is the possession of power, or political independence, by units other than states. (James 1986, p.188-90) Moreover, a state may find its political independence or ability to act severely restricted; yet it will still be considered sovereign because it still processes constitutional independence.

To consider sovereignty as a legal freedom is to suggest that every state is free to decide the extent of its legal obligations. States, therefore, should only enter into international agreements and be bound by international law if they specifically agree to do so. However, once a state is the member of an international organisation or subject to international law it has, de facto, agreed to accept a limit on its legal freedom and therefore its sovereignty. Moreover, such is the acceptance of international law by the majority of states that those who do not subscribe to it will nevertheless be bound by it. Consequently, James concludes, 'it cannot be said that *any* state is sovereign in the sense of being in total control of the extent of its legal obligation' (ibid. p.219).

Jurisdictional sovereignty refers to the exclusive right of the state to make and enforce the law within its own territory. It 'requires the denial of any higher political authority, and the claiming by the state of supreme decision-making authority both within its territory and over its citizens.' (Buzan 1991, p.67) This precondition is

qualified by the right of citizens to appeal to the International Court of Human Rights, even if there is very little the Court or United Nations will or can do against the intransigent state. However, it is the EU that provides perhaps the greatest challenge to jurisdictional sovereignty.

The EU with its common policies, the supremacy of the European Court of Justice within the realms of its jurisdiction and the principle of *aquis communautaire*, mean that the members of the EU can no longer claim a monopoly of legitimate law-making, and enforcing powers. If, therefore, sovereignty, defined as jurisdictional, is to be considered an absolute, the members of the EU clearly can no longer claim to be sovereign. Yet despite this they remain full members of the international league of states, moreover, a 'special lesser, category of membership has not been created to accommodate those who have fallen somewhat from grace by accepting supranationalism.' (James 1986, p. 249). The EU does not, at its current level of development, amount to a constitutionally superior system of government, member states therefore remain 'constitutionally independent'. The EU's realm of superiority is restricted to those areas specified under the treaties, as agreed, unanimously, by the member states. It does not, as the German Federal Court ruled in 1995, have the right to initiate its own areas of competence.

The issue of sovereignty in the EU leads to the further debate as to the divisibility of sovereignty. As Geoffrey Howe explains 'Sovereignty is not virginity, which you either have or you don't' (1991, p.679). It can, in other words, be traded in return for influence over other states and organisations. Buzan, on the other hand, claims that it

is only possible to divide sovereignty 'among states, but not within them.' (Buzan 1991, p.67) But, as Waltz points out;

‘To say that states are sovereign is not to say that they can do as they please... To be sovereign and dependent are not contradictory conditions. To say that a state is sovereign means that it decides for itself how it will cope with its internal and external problems... It is no more contradictory to say that sovereign states are always constrained than it is to say that individuals often make decisions under heavy pressure of events.’ (Waltz 1979, p.98)

The members of the EU can not therefore be considered as either more or less sovereign than if they were not members of the Union. The fact that they are no longer the supreme legitimate authority in certain areas of government policy, simply means they are no sovereign in that particular sphere. The scope of state sovereignty has changed but not the sovereignty of the states themselves. Hence Britain remains the sovereign authority in matters of foreign policy while the EU is sovereign in cases of trade policy. (Philpott 1995, pp357-8). The distinction is identified by Janice Thompson (1995) as that between *authority*, defined as ‘the claim to the exclusive right to make rules,’ and *control*, defined as ‘the capacity of enforcing that claim’ (p.223). Authority depends upon the recognition of other sovereign entities, while control requires ‘concrete capabilities to monitor and enforce compliance’ (ibid.). State control has always ‘waxed and waned’ but ‘meta-political authority’ has continued to reside in the state, which empowers or authorises it to decide what is ‘political’ and therefore under its authority. Ultimately, authority depends on the state’s ability to enforce its will, therefore ‘coercion is key to sovereignty’ (ibid. p.225). However, as Thomson recognises, it is impossible to identify the point at which ‘erosion of control translates into an irreversible decline in the capacity to make authoritative decisions’ (ibid. p.217).

Such arguments remain, however, somewhat unsatisfactory in their attempt to mould a four hundred year old concept, and its associated vocabulary, around an essentially contemporary phenomenon. It may, therefore, be useful to conceptualise a more sophisticated, yet essentially straightforward concept of sovereignty and the state. Hans-Henrik Holm and Georg Sorenson (1995) provide one such alternative. According to Holm and Sorenson it is possible to distinguish between three categories of state and, subsequently, three categories of sovereignty. The first type of state, the pre-modern state, enjoys only negative sovereignty i.e. freedom from interference (Jackson 1990, p.11). It is a quasi-state whose economy is underdeveloped and its institutions are weak, lacking a monopoly of the means of violence, e.g. Somalia, Angola. The second category of state is the modern state that enjoys positive sovereignty i.e. the means to provide political goods (Jackson 1990, p.9). This comes closest to fulfilling the ideal type in international relations. Its economy is industrially advanced and nationally organised. It possess a highly developed form of government which is endowed with a monopoly of legitimate control over the means of internal and external violence, within its clearly demarcated boundaries, e.g. USA, Japan. The third category of state is the post-modern state where sovereignty is 'operational' e.g. members of the EU. In the post-modern state interference in domestic affairs is tolerated in the expectation of gaining influence at the supranational level of governance; a necessity born of the erosion of positive sovereignty through globalisation and interdependence. 'The notion of state power loses relevance in a system of post-modern states because power is increasingly diffused to different levels, different types of resources and different actors.' (Holm & Sorenson 1995, p.204)

Robert Keohane (1995) takes a similar approach to Holm and Sorenson, dividing the world roughly into two zones, one of peace and one of conflict. In the zone of conflict the traditional concept of sovereignty remains valid. However, in the zone of peace, inhabited by modern, pluralist democracies, the traditional Hobbesian concept of sovereignty, based on territorial integrity is of decreasing relevance. Here sovereignty would be more usefully defined as a legal commodity which states are willing to bargain with in order to gain influence over other states and international regimes, as the only way to gain some control over an environment dominated by complex interdependence:

‘Sovereignty no longer enables states to exert effective supremacy over what occurs within their territories. Decisions are made by firms on a global basis, and other states’ policies have major impacts within one’s own boundaries... What sovereignty does confer on states under conditions of complex interdependence is legal authority that can either be exercised to the detriment of other states’ interests or bargained away in return for influence over others’ policies and greater gains from exchange...’ (p.176-7)

Keohane also observes that *within* the zone of peace military solutions are no longer considered as a means of resolving disputes, although they still exist as an option in relations with states within the zone of conflict.

If sovereignty is thus conceived of as a commodity or asset with which to bargain, the post-modern state could, if interests are defined as power, be considered strengthened by the pooling or sharing of an essentially intangible asset, in return for the power or ability to influence factors otherwise beyond its control:

‘Although the traditional model of sovereignty is clearly obsolete, the nation-state today survives even though some of its powers have to be pooled with others, and even though many apparently sovereign decisions are seriously constrained, or made ineffective, by the decisions of others as well as by economic trends uncontrolled by anyone. International regimes help the state survive, by providing a modicum of predictability and a variety of rewards... The EEC regime is unique...and it has served not only to preserve the nation-

state, but also paradoxically to regenerate them... In all these ways, and despite its internal flaws, the EEC regime has strengthened the nation-state's capacity to act at home and abroad.' (Hoffmann 1995, p.223-24)

One could, therefore, conclude that the state, which accepts *de jure* limitations on its independence and authority, is actually, *de facto*, more powerful in the sense of being able to influence others, than the absolute sovereign state envisaged by Hobbes in a hostile anarchic system. The EU therefore, rather than being conceived of as a rival sovereign entity, could in fact be seen as strengthening the sovereignty and security of its member states, never (probably) to become sovereign itself.⁴ The EU, therefore, 'emerges as something more than a pure instrument of the states...without contesting state sovereignty' (Waever 1995, p.431). The over all affect is, therefore, to enhance member states' capacity to provide basic political goods, including security.

The State and Security in International Relations

The main 'rationalist' traditions of International Relations thought, from realism to liberalism, fail to fully conceptualise the state, which is subsequently either assumed or dismissed as a unit for analysis (Hobson 2000). Realism and structural or neo-realism are unequivocally statist in their approach to the study of international phenomena, yet the concept of the state itself 'is treated as an ontological given - a primitive concept which does not require further explanation.' (Buzan, Jones & Little 1993, p.114) According to Keohane, political realism is based upon three key assumptions about state behaviour, whose origins can be traced back to Thucydides:

‘1) States are the key units of action;

2) They seek power, either as an end in itself or as a means to other ends;

⁴ See Alan Milward on 'The European Rescue of the Nation-State' (1992)

3) they behave in ways that are, by and large, rational, and therefore comprehensible to outsiders.

(Keohane 1986, p.7)

Thinking about International Relations in this way leads to assumptions about the centrality of security and the significance of military power, and therefore by extension the emphasis on the EU's acquisition of a foreign and security policy.

The key concept in understanding state behaviour is therefore the pursuit of power or what Morgenthau defines as 'interests defined in terms of power' (Morgenthau & Thomson 1995, p.115). This principle is based on an understanding of human nature akin to that envisaged by Hobbes in his state of nature. Men are conceived as instinctively self-interested and competitive, with a tendency to resort to force in conflicts over the allocation of resources, particularly power. Morgenthau fails, however, to differentiate sufficiently between power in quantitative or qualitative terms, i.e. between power as a resource simply to be amassed and power as the ability to influence others. (Keohane 1986, p.10) Moreover, through the emphasis upon the more negative aspects of human nature, transposed onto the international arena, such a perspective fails to account for periods of prolonged peace or co-operation, beyond the establishment of short term issue (or enemy) specific alliances.

The structural or neo-realist variant, as most notably developed by Kenneth Waltz (1959, 1979), differs from classical realism in concentrating its analysis on the systemic level of analysis. Emphasis is therefore placed upon the nature of the international system and the exigencies of interstate competition. According to Waltz, the state system, lacking any central order creating authority, resembles the

anarchy of Hobbes's state of nature in which states find themselves in a continuous 'posture of war' as;

'in all times, kings, and Persons of Sovereigne authority, because of their Independency, are in continual jealousies, and in the state and posture of gladiators; having their weapons pointing, and their eyes fixed on one another; that is, their Forts, Garrisons, and Guns upon the Frontiers of their Kingdoms; and continual spyies upon their neighbours.' (1968, pp.187-8)

The threat of war is therefore constant. In the absence of any alternative means of conflict resolution force provides the ultimate 'means of achieving the external ends of the state.' (Waltz 1959, p.238) This is not to imply that war is continually occurring but rather that 'with each state deciding for itself whether or not to use force, war may break out at any time.... Among men as among states, anarchy, or the absence of government is associated with the occurrence of violence.' (Waltz 1979, p.102) Consequently, the constant threat of war makes security the principle function of the state. All states will therefore, by necessity, act to enhance their strategic, military and economic strength vis-à-vis its rivals. This constant quest for supremacy, however, leads inevitably to the 'security dilemma,' a situation in which one state's increased security leads to another's insecurity resulting in a vicious circle of preparation for war and insecurity.

An additional consequence of the quest for security is the monolithic character of the state. Viewed from the outside most states appear sovereign, exercising their, theoretically unchallenged, authority over their territory and population and recognising the rights of other such entities to do likewise. (Buzan 1991, p.102) Moreover, because the primary purpose of the state is the provision of security all states will be 'functionally undifferentiated'. The only manner in which states differ is in the distribution of power or capabilities; 'States are alike in the tasks that they

face, though not in their ability to perform them.’ (Waltz 1979, p.98) Waltz is therefore critical of ‘reductionists’ who attempt to explain the relations between states through the analysis of internal politics, denying the impact of democratic or autocratic government, ideology, religious beliefs, all of which become more important as the line between domestic and foreign policy becomes increasingly hard to draw. Waltz does not deny entirely the utility of such unit level approaches but nevertheless regards such considerations as outside the framework of his theory.

A by-product of the functional similarity among states is the tendency for them to reproduce themselves. As units interact on the international stage they are required to keep up with and emulate each other. It is for this reason that Waltz finds it unnecessary to differentiate between states, city-states and empires. (Buzan, Jones & Little 1993, p.117) This presents some interesting considerations in regards to the question of the significance of CFSP in the state-like ambitions of the EU. Clearly if the EU were to survive as a state in an essentially anarchic system, in which military power remains the ultimate guarantor of security, it would require its own, effective foreign and security policy and means of defence. Two further hypotheses, concerning the future development of the EU, can be derived from the realist/neo-realism paradigm. Firstly, states are the basic units of the international system; they are self-interested and competitive. Therefore, they are unlikely to surrender their power and authority to a new supranational body. Secondly, although less likely, should the EU become a significant international actor, the tendency of units active in the international system to reproduce themselves, to become functionally undifferentiated, will necessitate the EU taking on the characteristics of the dominant unit i.e. the state.

Neither classical realists nor neo-realists anticipate extensive inter-state co-operation. Loose alliances may be formed for mutual benefit but will be abandoned as soon as losses or other states' gains outweigh its utility: 'States do not willingly place themselves in situations of increased dependence. In a self-help system considerations of security subordinate economic gain to political interest.' (Waltz 1979, p.107) Waltz does, however, recognise the unique conditions surrounding the existence of the EEC. According to Waltz the nations of the EEC lost control over their own security during the Cold War. Security was thus effectively removed from the agenda. This allowed for the 'up-grading of common interests' as it was recognised that an advantage to one state within the Community would not be translated into military force:

'Living in the superpowers' shadow Great Britain, France, Germany and Italy quickly saw that war among them would be fruitless and soon began to believe it impossible. Because the security of all of them came to depend ultimately on the policies of the others, rather than their own, unity could effectively be worked for, although not easily achieved.' (Waltz 1979, p.70-71)

None of this is to deny that fundamental conflicts of interest persist, but any differences will be resolved peacefully, through intensive bargaining, rather than through resort to force. Unfortunately, however, Waltz's explanation of European integration is dependent upon the removal of (military) security from the Union's agenda, through the bipolar structure of the Cold War international system. The return to a multi-polar system, in which security is once more an issue among, although not between, the member states, therefore provides a harsh test of realist and neo-realist analysis. Ole Waever provides a similar argument: during the Cold

War relations among West European states became 'de-securitized' because 'they had been shielded from the colder winds of international security by the bipolar conflict.' With the end of the Cold War, relations among West European states have again become 'securitized' (Waever 1995). According to Waever, integration itself is therefore a security issue as the alternative is fragmentation and ultimately conflict (ibid.).

A further, fundamental, flaw in Waltz's thesis is his failure to adequately account for the effect of economic interdependence, globalisation, international law and international organisations, on state behaviour. Waltz dismisses such phenomenon, which are nothing new in the history of the state, as reducible to the unit level of analysis and therefore outside his framework.⁵ In contrast Keohane & Nye (1979) attempt to assess the significance of domestic and international society, interdependence, international institutions and other transnational or multinational groups other than the state. They employ the concept of 'complex interdependence' to describe 'a situation among a number of countries in which multiple channels of contact connect societies (that is, states do not monopolise these contacts); there is no hierarchy of issues [in which military security is the dominant issue]; and military force is not used by governments towards each other.' (1989 p.249) They do not, however, abandon the realist preoccupation with power but redefine it in such a way as to identify 'asymmetrical interdependence' as a potential means of gaining influence. Moreover, military power is recognised as dominating 'economic power in the sense that economic means alone are likely to be ineffective against the serious use of military force.' The use of military force is qualified as it is increasingly

⁵ This is reflected in the failure of neo-realism to account for the end of Cold War, e.g. John Mearsheimer, 'Back to the Future: Instability in Europe after the Cold War,' *International Security* 15(1) 1990.

costly, and its success is not ensured. As a result military solutions will not be pursued between governments within a region, or on issues where complex interdependence prevails. Nevertheless, outside this sphere military force could still be utilised if the stakes are high enough (Ibid. pp.16-17, 25).

The works of Keohane and Nye, like that of Waltz, Morgenthau and Mearsheimer fail to provide a comprehensive theory of the state. They do however present an image of the state as a legally based organisation of people, on a territorial basis, which constitutes a unique actor upon the international stage. It is unique because it alone possesses the military capability to decide the life and death of its, and its neighbours', population. It is driven by the need to preserve and promote its interests and in so doing it creates a system in which insecurity is rife. This does not preclude the possibility of co-operation and peaceful coexistence where common interests exist.⁶ Nevertheless, it is this impression of the self-interested state, in an anarchic international system that has provided the basis for the conceptualisation of security, into which the EU's evolving security identity must be slotted.

⁶ The more overtly liberal accounts of international co-operation provide the basis of the next chapter concerning theories of integration.

Beyond State Security⁷

Through out the above commentary on the state in international relations, the need for and the provision of security has been presented as both a key function of, and *raison d'être* for the state, hence its implied significance with regard to the development of CFSP and CESDP. This is also reflected in classical Strategic Studies, in which the 'centrality of the state-as-an-actor is assumed,' and the 'meaning of security is thus determined by a prior theoretical assumption of the primacy of the state.' (McSweeney 1999, p.15) Security is, therefore, 'a condition of the state, to be achieved by the state through the instrumentality of state military power.' (ibid, p.36) 'Security' as a concept remains underdeveloped, seen primarily in terms of something to be aspired to by states in an anarchic international system. (Buzan 1991) However, since the 1980s, particularly since the end of the Cold War, the nature of security is perceived to have changed both in terms of the security agenda and, perhaps most significantly, the assumption that the state is the primary referent object of security. These two processes are related; as economic, social, environmental and demographic issues come to be viewed increasingly in terms of posing a threat that needs to be addressed, so the unit for addressing these issues is also redefined, downwards towards the individual and society, and upwards to the regional and global level. This poses a fundamental challenge to the

⁷ It would be useful here to distinguish between what is meant by 'security' and 'defence', as the conceptual difference goes to the heart of the debate into the EU's acquisition of a defence capability. Security is a broad, highly contested concept (as will be illustrated below) referring to the independence and well being of a nation or organisation from external danger or interference. Such protection may therefore be afforded through economic measures such as tariffs or political methods such as diplomacy. Defence, however, is more specifically defined as 'a matter relating to the actual or potential deployment of military forces.' (Hurd, 1994 p.426) As such its essential relationship to national sovereignty remains largely unchallenged both in theory and in practice. In the context of European integration a further distinction can also be made between common defence policy, i.e. the formulation of a common policy on the use of armed forces, and common defence, i.e. the organisation of military forces in common (White 2001, p.144). The latter of these arrangements, which is stated as a possibility by the Maastricht Treaty (Article B), would require the transfer of authority for defence from member states to the EU, potentially transforming the EU into a federal-type defence organisation.

conceptualisation of security as primarily guarding 'the state against those objective threats that could undermine its stability and threaten its survival' through the utilisation of its monopoly over the legitimate use of force. (Lipshutz 1995 p.5) Moreover, it is necessary to recognise that the changing perception of security reflects not only the transformation of the international system, precipitated by the end of the Cold War and the spread of globalisation but also, potentially, a fundamental shift in the nature and role of the state (Clark 1998) and therefore, by extension, perceptions of the evolution of the EU.

To challenge the conventional understanding of security is, in fact, to contest the basis of rationalist thought through the application of a sociological and constructivist approach. (Wendt 1992, Lipschutz 1995, Waever 1995a, McSweeney 1999) In setting out his constructivist approach to international relations, Wendt attempts to contest the underlying assumptions regarding agent and structure that form the basis of realist/neo-realist and liberal theory. Both assume the self-interested state in an anarchic international system as their starting point. For the realist/neo-realist this leads to the self-help system in which states are constantly presented with and held prisoner by the security dilemma. For liberals, the anarchic system can be overcome through co-operative behaviour, which has the potential to modify but not to transform national interests. In arguing against a logical or causal link between self-help power politics and anarchy Wendt substitutes what he terms a 'form of systemic theory in which identities and interests are the dependent variable.' (Wendt 1992, p.394) Rather than being exogenously given interests, and the identities upon which they are built, are recognised as being socially constructed. Once formed, a set of identities and interests will constitute an 'institution.' This

may involve the formalisation of rules and norms, but it is the 'socialisation to and participation in collective knowledge,' that really counts (ibid. p.399). 'Self-help and power politics' are therefore institutions created as a result of the interests and identities of their constituent units. It cannot be predetermined that anarchy creates such a system that is, therefore, only possible through social interaction: '*Anarchy is what states make of it.*' (ibid. p.395) States will behave differently towards friends than enemies, defining their interests based upon different understandings and expectations, which cannot be accounted for simply by reference to the existence of anarchy. If a self-help system does evolve it is because state 'practices made it that way. Changing the practices will change the intersubjective knowledge that constitutes the system.' (ibid. p.407) Sovereignty provides a similar example, constituting an institution that provides the basis for a community based on mutual recognition, which in turn increases individual security, reducing the perceived need for military security. (ibid. p.412-15)

Following from this perspective, national interests can not be assumed as exogenously given. Security, therefore, is 'socially constructed' by policy makers who 'define security on the basis of a set of assumptions regarding vital interests, plausible enemies, and possible scenarios.' This will be achieved by drawing upon 'the specific history and social context of a particular country and some understanding of what is "out there".' (Lipschutz 1995, p.9) Once identified it will not be possible for these interests, enemies and scenarios to exist independently from their subjective origins. In effect 'we choose our security problems as we choose the interests and identity which accompany them.' (McSweeney 1999, p.12)

So, how is security to be defined in contemporary Europe? During the Cold War security had become highly militarised, in order to meet the major threat to Western security – the Soviet Union (Waever 1995a, p.59). Since the collapse of the Soviet threat the security agenda has undergone a dual transformation, becoming both broader and less militarily orientated. Advanced states ‘have now to worry not just about their military strength and the security of their ruling families, but also about the competitiveness of their economies, the reproduction of their cultures, the welfare, health and education of their citizens, the stability of their ecologies, and their command of knowledge and technology.’ (Buzan 1995, p.191) Consequently, economic, demographic, welfare, environmental and technological issues have become ‘securitized,’ to the extent that any threat in these areas could conceivably challenge the stability and prosperity of the state. Thus these previously benign issues are exposed to a discourse that still ‘evokes an image of threat defence, allocating to the state an important role in addressing it.’ (ibid, p.47) This raises a number of practical and conceptual difficulties. Firstly, the broadened agenda risks devaluing the concept of security to the extent that it becomes ‘a synonym for everything that is politically good or desirable’ (ibid.) and thus of limited analytical use. Moreover, once an issue is identified as posing a risk to security so a state becomes justified in using more extreme measures in pursuit of its aims, leading, potentially, to greater insecurity – a new security dilemma whereby almost anything can be defined as a potential threat to national well-being. These difficulties provide the basis for Waever’s concept of ‘security as a *speech act*’. Something simply becomes a security issue when institutional ‘elites declare it to be so.’⁸ (Waever 1995a. p.54) By ‘uttering the word “security,” a state-representative moves a

⁸ Within a state the identification of such elites is unproblematic, however, if it is a society that is to be secured it could be more difficult to determine a legitimate representative to speak on its behalf.

particular development into a specific area and thereby claims a special right to use whatever means are necessary to block it.' (ibid, p.55) As such security remains an essentially negative concept, 'when there is no security problem, we do not conceptualise our situation in terms of security.' (ibid)⁹ An alternative, more positive, perspective might be to follow McSweeney's definition of 'secure' in terms of enabling or making something possible. Moving away from the material towards a cognitive approach, security can thus be viewed as a relationship, as between a mother and child, rather than simply a commodity. (McSweeney 1999. p.15)

Moreover, while Waever identifies a process of 'resecuritization' in Europe, the state or states are no longer the referent object; 'this crystallizes at two other levels: Europe (integration in order to avoid fragmentation) and nations (defending themselves against integration).' (Waever 1998, p.91) Thus the state becomes increasingly detached from the concept of security, with the later level in particular reflecting a growing concern for 'identity,'¹⁰ directed more towards cultural and societal units. (Mc Sweeney 1999) Waever makes clear the distinction, defining political (state) security as 'the organisational stability of states, systems of government and the ideologies that give governments and states their legitimacy.' Whereas societal security protects 'the *self-conception* of communities, and those individuals who identify themselves as *members* of a particular community.' Both ultimately entail survival, for the state this means sovereignty, for society it means identity. (Waever 1995a p.66-67) Arguably, it is the later of these that provides the

⁹ Or to put it another way, 'security is like sex and money; we only miss it when we don't have it!' (Deighton, Britannia Lecture, Britannia Royal Naval College, December 15th 2000)

¹⁰ Simply put, identity implies the use of the word 'we' to define a particular group of people or society: 'A 'we' identity can vary across a wide spectrum in terms of the size of the group to which it applies, the intensity with which it is felt, and the reasons that create a sense of belonging,' Waever 1993, p.17)

most interesting departure for the study of security, challenging the assumption that it is the state that needs to be made secure. Indeed, the separation of state and society, assumed in traditional strategic studies, excludes the consideration of society as a referent object of security¹¹.

However, with the apparent decoupling between the state and nation, particularly within Western Europe, the state is losing the ability (or simply lacks the appropriate tools) to respond to threats to identity, such as those posed by immigration or global culture. The process of integration further illustrates this. At one level, the submersion of previously independent identities, enjoying a close if not precise relationship with the state structures that represented them, within a larger, heterogeneous and more distant regional superstructure could be perceived as a threat to national identity. Certainly, the public misgivings about integration in the wake of the Treaty of Maastricht, particularly in countries such as Britain, Denmark and France, can be viewed partially as a nationalist backlash against Europeanisation. Moreover, the larger the entity, the potentially less sensitive it is likely to be towards the security needs of the smaller, constituent units. Consequently, the 'more actors at every level retain some control over their security, the more stable the system will be...' (Buzan 1991, p.379)

However, such a perspective fails to acknowledge the 'cognitive' nature of identity formation within a security community. (Adler 1997) As originally conceived by Deutsch et al, a security community exists where 'there is real assurance that the members of that community will not fight each other physically, but will settle their

¹¹ Here lies an inherent contradiction in assuming the primacy of the state in that the individual or society is excluded from the conceptualisation of security at the state level 'only to be reinstated as its basic rational.' (McSweeney 1999, p.16)

disputes in some other way' (Deutsch et al, 1957 p.5) In order to achieve this condition there must exist, among other things, a sense of "we-feeling," based upon 'trust and mutual consideration,' leading to a 'perpetual dynamic process of mutual attention, communication, perception of needs, and responsiveness in the process of decision-making.' (ibid, p.36) The EU can certainly be considered a 'security community' in that 'participant states do not prepare for, expect or fear the use of military force in their relations with each other.' (Sorenson 1997, p.265; see also Adler 1997; Waever 1998). Moreover, it is possible for the experience of co-operation in the peaceful resolution of disputes to transform identities into 'a collective "European identity" in terms of which states [and societies] increasingly define their "self" interests.' (Wendt 1992, p.417) This is not to assume the replacement of national identities by one 'big over-riding we – we "Europeans".' (Waever 1998, p.93) But rather an 'additional layer of identification,' adding a 'European flavour to being French, German and so on.' (ibid. p.94) Indeed, it is feasible for members of a security community to maintain their sovereign independence. Deutsch et al differentiate between amalgamated and pluralistic communities; the former requiring 'the formal merger of two or more previously independent units into a single larger unit, with some type of common government...' while the latter 'retains the legal independence of separate governments.' (Deutsch et al, 1957 p.6)¹² Within such a setting the referent object of security becomes the continued success of integration, the alternative, fragmentation or Balkanisation, providing the basis upon which to legitimise 'international order *without* a named enemy.' (Waever 1995a, p.72) The greatest potential 'enemy' to

¹² It would therefore follow that a security community can exist among members of the EU without leading to full amalgamation. Nevertheless, many of the conditions for amalgamation do exist within the EU (Deutsch et al, 1957, pp. 117-161)

European security, therefore, becomes the prospect of a return to Europe's war-prone past. (Waever 1998, p.90)

Globalisation and the Security State

Many of the trends identified above have been associated with the challenge to the Westphalian state system as presented by globalisation. Within this process 'the spatial organisation of social relations and transactions,' are transformed, 'generating transcontinental or inter-regional networks of interaction and the exercise of power.' Consequently, 'overlapping networks and constellations of power' develop to 'cut across territorial and political boundaries,' thus challenging the basis of the sovereign, territorially based state and the international system that has grown around it. (Held & McGrew 1998, p.220) As such globalisation alters both the structure (multi-national, trans-national, non-governmental actors) and scope (financial, ecological, social issues) of the international system and, moreover, restricts the ability of the state to impose its own security agenda internally or externally. However, the extent to which this poses a revolutionary challenge to the state and state system is deeply contested between 'the proponents of state redundancy and the champions of continuing state potency,' for whom globalisation is essentially generated by the external actions of states themselves. (Clark 1998, p.479) Indeed, in the realm of security studies it could be argued that after a century of two world wars and the invention of missiles of mass destruction on a global scale, the implications of globalisation are hardly new. (Guéhenno 1998-99, p.5) The aim here is not to provide either a globalist or sceptic's concept of globalisation but merely to identify those characteristics associated with globalisation which impact upon the nature of the state, security and the relationship between the two, so as to

further understanding of the significance of the EU acquiring a foreign and security policy.

Clark (1999) identifies four ways in which globalisation is changing concepts of security: 'the detachment of security from territoriality; the enmeshment of security in global networks; the creation by globalisation of a new security agenda; and the diminished capacity of the state to provide security for its citizens.' (Clark 1999, p.114) The implications of an expanded security agenda have already been discussed. The transformation of national defence industries into a global network remains underdeveloped in comparison to the civilian sector, nevertheless a combination of the increasing costs of high technology, privatisation of defence industries and the trend towards multinational security arrangements further erode sovereign independence. One of the key characteristics of globalisation is what Ruggie describes as the 'unbundling' of territoriality, through which 'various types of functional regimes, common markets, political communities and the like,' provide 'the means of situating and dealing with those dimensions of collective existence that territorial rulers recognise to be irreducibly transterritorial in character.' (Ruggie 1993, p.165) Security issues are no exception to this rule, thus the ability of the state to provide purely 'national' security is clearly contested. This is reflected in the increasing trend towards the 'institutionalisation of cooperative defence (and security) and the global regulation of military power.' (Held & McGrew 1998, p.227) Nevertheless, while, for example, NATO has extended its roles and expanded its membership, and international arms limitation regimes have grown, NATO itself and international arms control agreements pre-date the essentially post-Cold War phenomenon of globalisation. States faced with the security dilemma have long

since engaged in the practice of collective security¹³ when faced with a common enemy or threat to peace that they are unable to deal with unilaterally. Indeed, it could be argued that since the collapse of the bipolar system global security has become more rather than less fragmented.

However, the challenge of globalisation goes beyond such state-centric concepts as collective security. As the borders between states have been transcended and diluted in pursuit of a new security agenda, so the always-dubious distinction between domestic and international politics, what is defined as 'inside or outside,' has also been eroded. Consequently, it is not just the international state system that is being transformed but the nature of the state itself comes under attack from different levels of governance. The state is thus perceived as 'no longer in command of its territory, governments have mostly lost control of the national economy and their policies to promote wealth creation and social protection are destined to be ineffective.' (Weiss 1999, p.60) As such globalisation has become 'synonymous with *state power erosion*.' (ibid, p.64) Such a viewpoint risks overestimating the degree to which states are unable to deal with the forces of international capitalism and by which international organisations and regimes are shaped by as well as shape national interests. Indeed, a fundamental flaw of the both sides of the globalisation debate is, as Clark (1998) argues, to overlook the '*middle ground*,' of the argument whereby the state is 'both shaped by and formative of the process of globalisation.' (Clark 1998, p.479)

¹³ A system whereby 'states agree to abide by certain norms and rules to maintain stability, and when necessary, band together to stop aggression.' (Bayliss 1999, p.203)

Consequently, it is not so much the state, as a particular form of state – the welfare, Westphalian, territorially based state, which is challenged rather than the state itself, which will continue to exist in some altered form as part of a system of multi-level global governance. However, one of the key characteristics of the old Westphalian order was that it was ‘driven by military and political considerations.’ (Buzan & Little 1999, p.90) As this order mutates the dominance of military-political or high politics issues declines, transforming the state-security bargain. Under conditions of increasing interdependence and globalisation the incentives for war should be reduced as the costs of such conflict become greater and the means of unilateral action constrained. Moreover, as the nature of insecurity changes so the requirement for the state to mobilise its society for its defence is also reduced, thus breaking the traditional trade off between political, social and economic rights and military service. (Clark 1999, p.122) According to Clark, the severing of this link, together with the inability of the state to provide for its citizens security, requires the ‘reconfiguration’ of social compacts ‘on a multilateral or transnational basis,’ as ‘the state is less entitled to legitimise violence on its own account.’ (ibid, p.123) Such a suggestion is, arguably, supported by recent military operations, in which ‘armed forces are increasingly assigned tasks which have nothing to do with national defence in the traditional sense.’ (Sørensen 1997, p.267) For example, NATO operations against Yugoslavia appeared to have been ‘based more on humanitarian than on either extractive or power rivalry motives.’¹⁴ (Buzan & Little 1999, p. 92) Indeed, the democratic peace thesis suggests that total war between developed,

¹⁴ At the time of NATO air strikes against Belgrade Mr Blair explained the Allies' motives in an interview: ' In this conflict we are fighting not for territory but for values. For a new internationalism where the brutal repression of whole ethnic groups will no longer be tolerated.' (Newsweek April 19, 1999)

capitalist, democratic states has become obsolete.¹⁵ (Mendelbaum 1998-99, see also Layne 1994, Cohen 1994) As a result, 'the traditional military role of the state, the foundation of its claim to political primacy, has shrunk to marginal status.' (Buzan & Little 1999) Thus if the EU is in the process of acquiring state-like attributes in security, it is arguably of lesser importance now than it might have been half a century earlier. However, this trend towards 'debellicisation' (Mendelbaum 1998-99, p.21) is by no means universal. Since the end of the Cold War, it is possible to characterise international security by its fragmentation into a series of regional 'security complexes,' composed of 'a group of states whose primary security concerns link together sufficiently closely that their national securities cannot realistically be considered apart from one another.' (Buzan 1991, p.190) Such complexes can be benign, such as the EU or South East Asia, or malign, such as in the Balkans or the Indian sub-continent. The result is the 'structural bifurcation' of global security, between zones of peace and conflict. (Held & McGrew 1998, p.222) States in the zone of peace will inevitably find themselves involved in zones of conflict, particularly when involving neighbouring states, such as EU and NATO states in the Balkans, or vital economic interests, such as the US in the Middle East. Military security therefore remains an important function of the state under globalisation, not least because the impact of globalisation is far from even, with states such as Iraq and Yugoslavia under Milosevic apparently less affected. Indeed, the current strategic environment bares the hallmarks of a transitional and potentially unstable period, combining 'classic balance of power calculations with elements of a different world, in which security is built on a balance of dependence and in which

¹⁵ Colin Gray dismisses the democratic peace theory as a 'probable myth,' that cannot be historically substantiated against humans' desire to kill (Gray 1999)

the boundaries between communities are blurred and power diluted.’ (Guéhenno 1998-99, p.15)

So what does the future hold for the security state? Buzan (1991) suggests that while the individual, regional and international levels are all important, states remain ‘the principal referent object of security because they are the framework of order and the highest source of governing authority.’ (Buzan 1991, p.22) However, the nature of the state and its position in the international system are changing as a result of the forces of globalisation that have flourished since the end of the Cold War. In a ‘strong’ state, where society freely engages in trans-border activities, the provision of security could be viewed as the only function left for the state to perform. (Buzan 1995) Therefore the ‘doctrine of national security remains one of the essential defining principles of modern statehood...’ However, increasingly ‘it acts more as a simplified representation or legitimising device than a reflection of the actual behaviour of states.’ (Held & McGrew 1998, p.226) Once security and the state become separable then the provision of security need no longer be seen exclusively in terms of ‘national’ security. Thus leading to the possibility that foreign and security policy, while different, can be integrated as with any other area of public policy.

Foreign Policy

Security and foreign policy are, by their very nature, both empirically and conceptually entwined. The maintenance of national security, however broadly defined, is the ultimate objective of any foreign policy. Moreover, any concept of foreign policy is overtly statist, implying as it does ‘the existence of a central

governing authority and by extension, the existence of a state.' (Hill 1994a, p.454) For example, Kegley & Wittkopf (1997) define foreign policy as 'purposive actions undertaken by states towards actors outside their boundaries to achieve the states' goals on an international basis.' (p.532). Ultimately this implies 'the ability to deploy military forces and, if appropriate, the use of force.' (Hill 1994a, p. 454) As such foreign policy activity becomes a necessity for any state actively engaged in an international system composed of other state and non-state actors.

Such a concept of foreign policy presents two problems. Firstly, the EU is not a state. Moreover, it currently lacks the will or means to use effective military force in support of its external interests.¹⁶ Nevertheless, the Union 'indisputably has international presence and international effects.' (Hill 1994a, p. 454) As a result, Hill suggests that it might be necessary to look beyond traditional notions of international actors defined as states towards a ' "mixed actor" version of the international arena,' with its alternative emphasis, away from sovereignty, recognition and territoriality, towards attributes of 'autonomy, representation and influence.' (Hill 1994a, p. 456) By breaking away from the 'rather narrow, state-related criteria of actorness,' it becomes possible to 'look afresh at the character of all actors and their role in world politics.' (Hocking & Smith 1990, p.71) By accepting that different actors will aspire to different goals, with varying scopes, utilising a number of structures and resources, across national, sub-national, and supranational levels, it becomes possible to revise concepts of international actorness to reflect the wide variety of organisations and networks that constitute the contemporary international system.

¹⁶ Because of this discrepancy the analysis of CFSP presents a particular problem for traditional state-centric approaches to Foreign Policy Analysis (White 1998). Hence the tendency to approach CFSP from a more institutionalist perspective (Brown 1997).

Within such a multi-actor environment, Hill suggests that foreign policy should be reconceptualised as the 'building of networks for action, which may or may not coincide with national boundaries.' (Hill 1994a, p. 456) Such an approach risks devaluing the concept to the level of any inter-institutional relations at the global level. Nevertheless, by stripping foreign policy of its overtly statist ontology it does then become possible to characterise EU activity on the international stage as foreign policy, to the extent that it is an attempt to project EU power and influence in pursuit of collective Union interests. Moreover, the challenge to the traditional primacy of the Westphalian concept of the state would also appear to be furthered (*sic*). However, while the capacity for foreign relations may not then be considered the exclusive preserve of states, the requirement for a 'central governing authority,' as identified by Hill (1994a, p.454), continues to hamper EU-level foreign policy decision making. The lack of collective political will (as the chapter on CFSP will demonstrate) serves as a major constraint on effective policy. Part of this problem is because, Waever et al observe, the EU is attempting to formulate a common foreign policy 'at a time when its internal processes are still in part foreign policy for the individual member states.' (Waever et al 1993, p.8) Governance at the EU level remains insufficiently centralised/institutionalised at the level of foreign policy decision making to produce focused unitary policy output.¹⁷

The second difficulty encountered when conceptualising foreign policy is the break down of the distinction between foreign and domestic policy in the wake of growing interdependence and globalisation. All government policy represents an attempt to

¹⁷ This would suggest that while 'institutional fixes' cannot by themselves create political will, institutions do matter.

achieve a synthesis between ends and means. In the case of foreign policy ends are defined in terms of national, as opposed to particular, interests and means by the power and capabilities of the state. (Collombis & Wolfe 1990, p.114) State frontiers are regarded as conceptual as well as territorial boundaries, separating 'foreign' from 'domestic' policy accordingly. Foreign Policy is therefore formulated within the state but is directed and must be implemented in the external environment, which is decentralised and anarchic, in contrast to the domestic arena in which the state, theoretically, enjoys a monopoly over the instruments of social order. (White 1989, p.5-6) Globalisation challenges both these assumptions, blurring the line between the domestic and the foreign, as both political and predominately non-political transnational phenomena defy territorial, political and jurisdictional boundaries. As a result, it becomes increasingly difficult to distinguish between a domestic and foreign policy issue, with the additional consequence of challenging the normative primacy of the latter. As low political issues become of increasing saliency so the value of accretion of territory and population dwindles - economic growth, education and technology promising the most effective means of accumulating and maintaining wealth and welfare. Moreover, as low political issues take precedence so governments become more prone towards building transnational structures to achieve both international and domestic functional goals.¹⁸

This reconfiguration of foreign policy has implications for the analysis of the EU as an international actor. As the distinction between external relations and foreign policy is eroded, with the former taking on increasing salience, so the international 'weight' and 'presence' of the EU (Allen & Smith 1990) can be more broadly

¹⁸ This is not to rule out the possibility of states reverting to some form of mercantile economic policy but it is unlikely that such policies could be maintained by individual states (as opposed to regional blocs) within the capitalist core where globalisation is most advanced.

understood, drawing upon the Union's identity as a significant civilian power. However, to do so risks overlooking the lingering need for/relevance of high political issues and the provision and projection of military security. Moreover, it denies the opportunity to consider the unique impact of the acquisition by the EU of a foreign and security policy on patterns of global governance.

The European Polity, Security and Foreign Policy

If governance is understood to be characterised by collective problem solving; government by institutions and agents; the state by permanent structures of governance and rule over society, then the EU could clearly be regarded as 'an international structure of governance.' (Caporaso 1996, p.32) Moreover, with 'the ongoing economic and political relations between Member States mediated by the institutions of the EU,' it arguably already constitutes an 'international state' (Caporaso 1996, p.33). But this is far from the traditional Westphalian state, characterised by a permanent population, a defined territory, a government and the capacity to enter into relations with other states. (Montevideo Convention, Article 1 in Wallace 1992, p.60) One alternative is the post-modern state, identified as a non-territorially or functionally based 'set of spatially detached activities, diffused across the Member States but reflecting no principled - let alone constitutional - considerations.' (Caporaso 1996, p.45) Member states accept Union interference in their domestic affairs, the division between foreign and domestic policy having been substantially eroded, viewing sovereignty more in terms of a 'bargaining chip'. (Sørensen 1997, p.262) Consequently, contemporary Europe could be compared with 'the kind of universal political order that existed in Western Christendom in the Middle Ages,' when states and their rulers shared political authority with the nobles

beneath them and the Pope and Holy Roman Emperor above. (Bull 1977, p.254)

Under this 'new medieval' model 'authority, loyalty and identity are diffused away from the monolithic structure of the sovereign state to supra and sub-state entities, within a shared framework of values and rules.'¹⁹ (W. Wallace, 1999, p.218) States remain the 'central actors' for 'big bang decision-making' such as negotiating framework treaties (Sørensen 1997 p.263) but day-to-day governance is shared across overlapping elites at all levels. The result therefore goes beyond a conventional international regime, forming a 'collective political system,' or be it one that continues to lie outside 'the framework of the state.' (W. Wallace 2000, p.530)

Wallace employs a number of terms to describe this condition, such as 'government without statehood,' and 'post-sovereign politics,' suggesting a new but fluid system that is continuing to evolve beyond traditional structures, towards an as yet undecided conclusion. Under such transitory conditions the adoption of common foreign and defence policies, for which the main initiators are member states (unlike regulatory policy in the 1980s), could serve as much to boost states' authority within the overall plain of European governance, as lead to the emergence of a supranational state (ibid.).

A further alternative is provided by Majone's (1996) regulatory state, characterised by a division of labour between the member states, focusing on redistribution of wealth and macro-economic stability and the EU, concentrating on regulatory policy. Consequently 'the European regulatory state of the future may be less a state in the traditional sense than a web of national and supranational regulatory institutions held together by shared values and objectives, and by a common style of policy-making'

¹⁹ As has been reflected in alternative discourses on security.

(Majone 1996, p.276). Within such a system foreign and security policy might be expected to remain the preserve of the member states who 'strive to preserve the greatest possible degree of sovereignty and policy-making autonomy' (ibid. p. 265). However, as Majone argues, member states were willing to delegate authority over regulatory policy in order to benefit from the associated increase in international credibility (ibid. p.269).

The danger here is to over estimate the degree to which the state system in Europe is being transformed, as opposed to merely adapting to meet the challenges imposed by interdependence and globalisation. Hence the realist counter-argument (Moravcsik 1998, Gray 1999, Milward 1992) that the increasing intensity of multilateral relations reflects a change of style rather than principle, pointing to the continuing resilience of states. Indeed, Milward argues that the process of European integration has been 'an integral part of the reassertion of the nation-state as an organisational concept,' (1992, p.2) providing the basis for a new political consensus upon which states were able to rebuild themselves after the Second World War. In reality the current order in Europe reflects the continuing significance of both intergovernmental and multilateral bargaining. Under such circumstances it is difficult to apply a stable concept of governance to capture the essence of the EU or its member states. To properly assess the implications for European statehood of the EU developing a common or single foreign and security policy requires an investigation of the policy procedures and output so far constituted in these areas; this is the task of the empirical chapters of the thesis.

Conclusion

By considering the state, security and foreign policy it was intended to draw together those aspects of the three concepts that link them together. Historically the provision of security, internally and externally, has constituted a key function of the state, without which the very existence of the state might in fact be challenged. States unable to provide for their security unilaterally have entered into alliances and developed systems of collective security but ultimate decision-making, or be it under severe restrictions, has remained with the state. Similarly, foreign policy has been characterised as the attempted projection of state interests onto the international arena. However, as concepts of the state have been modified to reflect increasing transnationalism, so conventional concepts of foreign policy and security have also been re-evaluated. As the state has 'withered' so its centrality in international relations and as the referent object of security has also been challenged, from below by society and above at the regional and global level. Within such a context the development of a Common European Security and Defence Policy could be viewed as essentially an expression of this process, whereby states, no longer able to provide for their own security, are obliged to seek it from other sources, created by themselves but ultimately greater than the constituent units. Consequently, the relationship between the state and security is transformed into one where the state goes from being the principal security provider in the international system, to a consumer of security from alternative sources. As the provision of security becomes conceptually and practically detached from the state, the prospect of opening it up to integrative forces is enhanced. The degree to which this transformation has/is/will occur in relation to the EU and its member states therefore provides a important

insight to both to the institutional development of the EU and the evolution of the state in world politics.

Global processes alone, however, fail to fully explain why a common security and defence policy should develop among members of the EU (and by association non-EU members of NATO) as opposed to other states. Consequently, it is also necessary to investigate the internal integrative forces at work within the Union through a study of theories of integration.

Chapter Two

Theories of Integration

Having established the possibility, in the light of globalisation and the reconceptualisation of the security state, that foreign, security and even defence policy could be susceptible to transnational forces it is necessary to consider the theoretical tools available to conduct an analysis of such processes. Moreover, the development of European state structures and the process of integration provide two sides of the same question, going ‘to the heart of political science’s elemental concerns about the nature of political man and the most likely sources of governance.’ (O’Neil 1996, p.3) Since its origins as the European Coal and Steel Community (ECSC) in 1952 the European Union (EU) has provided the principle focus for those International Relations theorists involved in the study of integration within the international system. The concept of integration has been widely applied and consequently is subject to differing interpretations. As a result it is conceived as both a condition, whereby hitherto separate units have become inexorably linked within a system of mutual interdependence, (Deutsch 1968, p.159) or as a process in which certain activities under national control are voluntarily surrendered to be tackled as common problems at a ‘supra-national’ level (Haas 1968, p.11). There is consensus that integration involves the merger of separate institutions and communities within a specific geographical region into a larger unit. However, differences occur over the significance of elite and political influence, public support, the role of institutions and formal contracts. An analysis of such differences would in itself add little to the integration debate. It is therefore necessary to apply and adapt these theoretical approaches through their application to an analysis of the process whereby foreign and security policy is being

incorporated into the EU, in the possible anticipation of the emergence of European state.²⁰

Federalism

No review of European integration would be complete without some consideration of federalism as a means to the creation of a federal European state, particularly as it is often assumed that an EU with its own security policy and defence forces would constitute a federal state (e.g. White 2001, p.38). The hey-day of federalism followed the end of the Second World War, culminating in the disappointing, for those who believed in a federal solution, collapse of the European Defence Community (EDC) and its attendant European Political Community, in 1954. From the mid-1950s onwards the 'community method' of integration, or neo-functionalism, became the favoured strategy for bringing about a united Europe, emphasising a gradualist approach to sectoral integration. Nevertheless, as Burgess points out, 'federal ideas, influences and strategies have been an ever-present, indeed integral part of the European Community's continuous political and constitutional development.' (Burgess 1989, p.1) Indeed, the importance of the federal ideal could not be made more explicit than in the Schuman Declaration, which provided the genesis for functional integration; '...this proposal will build the first concrete foundation of a European federation which is indispensable to the preservation of peace.' (Schumann Declaration, *Financial Times* 10/5/1950)

²⁰ To this must be added the qualification that, as demonstrated in the previous chapter, the nature of statehood is profoundly challenged in the light of globalisation, a process that post-dates the origins of integration theory. However, epistemologically the majority of these theories are based on the assumption that individual (European) states are unable to deal with transnational issues on a unilateral basis.

The primary motivation behind the federalist approach to integration is the provision of peace and security through 'the abolition or drastic modification of the current international system' (Pentland 1973, p.155) and its replacement with a federal system. The Second World War provided ample evidence that the international state system was failing to provide the most basic security requirements of its citizens, finding itself at war with other such entities at regular intervals. An alternative system was clearly required if such disasters were to be avoided in the future. European resistance leaders, therefore, turned their attention to drawing up methods for organising global peace. The answer appeared to be the founding of some sort of world government that would have the same authority to police the international system that national governments had internally. The most popular model for such a government was a federal one, drawing particularly upon the model of the United States of America, by which nation states either globally or regionally would draw up constitutions as the basis of an international federation. (Mutimer 1994, p.15)

The idea of a federal solution to peace was not new to the 1940s. A number of peace plans for Europe, involving some sort of pan-European political organisation, were devised during the seventeenth and eighteenth centuries, such as Kant's 'Thoughts on Perpetual Peace' (1795), while the American constitution provided an empirical example of how an ideal federation could be constituted and organised. Indeed the American model provided the bench mark of post war federal schemes in Europe: for example, the Council of Europe was originally conceived of as a constituent assembly that would draw up a constitution for a United States of Europe. The major difficulty with attempting to apply the American model, or indeed other examples such as Switzerland, Germany, Canada or Australia, to European

integration is that never before has a federation been built out of historically independent sovereign states. Nevertheless, as Mutimer points out this is 'precisely the federalist approach to international integration.' (Mutimer 1994, p.17). This raises a question mark over the utility of the federalist model when applied to the European Union.

More than any other integration theory federalism emphasises ends, i.e. the creation of a federal state, over means, i.e. how and why is a federal state established (Mutimer 1994, p.17). Yet it is the means to integration that is of overriding concern of this theoretical review. Murray Forsyth defines federalism as 'the process by which a number of separate states raise themselves by contract to the threshold of being one state.' (Forsyth 1981, p.2) It is the 'contract' which defines the nature of the federation and which distinguishes it from a unitary state. The underlying 'federal principle', as identified by K.C. Wheare, is a division of powers 'so that the general and regional governments are, each, within a sphere, co-ordinate and independent.' (Wheare 1946, p.11). The constituent units are not, therefore, to be totally engulfed by the new supranational government, they maintain a degree of self-government, but this is restricted to certain 'spheres' of government. The new federal authority is also similarly restricted. However, both levels of government, federal and regional, 'should operate directly upon the people,' (Wheare 1946, p.15) thus distinguishing it from a confederal model where the central government is subordinated to the regional government; or a unitary state where the powers of local authorities is directed by central government. The 'federal test', therefore, is; 'Does a system of government embody predominately a division of powers between general

and regional authorities, each of which, in its own sphere, is co-ordinate with the others and independent of them?' (Wheare 1946, p.35).

W. H. Riker also identifies a two tier system of government as elementary to a federal system, whereby; 'A set of constituent governments acknowledge that a federal government has authority over all their territory and people for those functions covering the whole territory, while they retain for themselves those functions related just to their own territories.' (Riker 1996, p.9). However, as Riker acknowledges, most governments will consist of at least two tiers. Where a federation differs is in the agreement about the division of functions amongst the tiers themselves. A 'bargain' is concluded whereby each unit agrees its own and each other's independence within certain functional spheres. All must benefit from the arrangement, thus providing the incentive for self-regulation. Thus Riker defines federalism as 'a constitutionally defined tier structure,' which cannot be 'arbitrarily revised or adjusted.' (Riker 1996, p.10).

The traditional federalism of Wheare and Riker serves to reinforce the apparent preoccupation of federalism with 'defining formal outcomes and recommending suitable institutional frameworks,' (O'Neill 1996, p.22) at the expense of providing any real explanation as to why sovereign states should choose to subjugate themselves to a supranational federal authority. Wheare identifies a number of factors that have lead to federalism in the past;

'A sense of military insecurity and of consequent need for common defence; a desire to be independent of foreign powers, and a realisation that only through union could independence be secured; a hope of economic advantage from union; some political association of the communities prior to their federal union... to produce a desire for union among the communities involved.' (Wheare 1946, p.37)

The pull of any one or combination of these factors should be such as to persuade the 'communities or states concerned' of the need to come together 'under a single independent government for some purpose..,' while at the same time wishing to 'retain or establish independent regional governments in some matters...' (Wheare 1946, p.35-36). This is a difficult balance to achieve, particularly given the tenacious grip that national loyalty continues to exercise. But, as Wheare points out, in his survey of federations '...community of language, of race, of religion, or nationality have not been listed as likely essential pre-requisites of the desire for union,' for example Switzerland and Canada. (Wheare 1946, p.38) However, this is to ignore the unique conditions pertaining to the proposed union of long established sovereign states in Europe, compared to previous examples of federation among previously autonomous units.

Riker identifies the primary motive for federation as 'the aggregation of resources for war.' (Riker 1996, p.12) This assertion is based upon his analysis of successful and unsuccessful federations, concluding that the most resilient have proved to be those founded to deal with some kind of military threat; 'initially, there must be a compelling reason to aggregate resources, and this compulsion has until now been military...' (Riker 1996, p.14). In exceptional cases the original military purpose has been superceded by the generation of national loyalties to the federation itself, e.g. Argentina, Australia, Brazil, Germany, Mexico, Switzerland, but these are the exceptions rather than the rule. (Riker 1996, p.16-17) Against the military prerogative, the economic motive for federation has been of secondary significance. Riker therefore, remains sceptical of prospects for a European federation based upon trade (Riker 1996 p.23-24). Joachim Jens Hesse and Vincent Wright, in replying to

Riker, question the need for a military threat, particularly in the case of a European Federation, and indeed the value of historical analysis for predicting the future. Moreover, they point to the significance of concerns for defence in the emergence of states in general, rather than as leading to a specifically federal solution. (Hesse & Wright 1996, p.376).²¹

To summarise federalism as a process of integration. A number of formerly sovereign states, sharing a number of interests, political, economic and military, decide that they would all benefit from pooling together their resources and subjecting themselves to the control of a central government which has authority over them. At the same time the constituent states retain authority for themselves in one or more sphere of government. This division of power is preserved by a federal constitution, devised by a constituent assembly, representing the states and the people of the emerging federation. The defining feature of the federation is the division of powers between central and regional government, each capable of defining and implementing its own legislation, directly upon the people within its jurisdiction. As a process, therefore, federalism appears very simple, consisting of a single constitutive act. But in the absence of such a sweeping act, how can an appreciation of federalism facilitate an understanding of the on going process of European integration?

Arguably, federalism had its best chance in Europe in the immediate post World War Two years and missed it. Conditions were certainly favourable in continental western Europe – the collapse of state structures during the war, their economic and

²¹ As emphasised in the previous chapter, the nature of any future security risks in Western Europe is likely to be of a very different nature to the kind of territorial threat posed in the past, focusing on international rights, the environment, social and cultural threats.

moral bankruptcy; support for the federal idea amongst key elites; a common external threat from Soviet Communism; the need to contain and harness German power; the necessity of economic reconstruction; US support for European integration. There are also many reasons why it failed – national state structures were rebuilt and indeed expanded to accommodate the increasing demand for social welfare; elites consequently refocused their national interests. Security from both the USSR and Germany came to be provided by NATO, under US leadership. The economic reconstruction not possible internally was dealt with in the limited functional integration of the European Coal and Steel Community (ECSC) and European Economic Community (EEC), whose infringement of national sovereignty were more limited and therefore easier to bare. The absence of Britain, the strongest European power at the time, from the federalist camp undoubtedly also weakened the chances of a European federation, while those who did support federalism were divided amongst themselves as to the best strategy to achieve their goal (O'Neil, 1996).

Nevertheless, traditional federalism does provide some interesting insights into the integration process in Europe, the level of integration achieved and, in particular, the possible end result, something which functionalist/neo-functionalist theories have avoided. Forsyth (1996) argues that the 'older doctrines of federalism' are essential to a proper appreciation of European integration, particularly in relation to what he perceives as the tension between the 'technical-functional ideas' which have dominated 'the structures and processes of integration,' and the subsequent growth of a 'federal-constitutional reality,' insufficiently accommodated by functionalist/neo-functionalist theory (Forsyth 1996, p.25). It is useful in two ways; firstly it enables

the observer to look beyond the 'action-plan philosophy' and see how, 'almost in spite of itself,' functional integration has 'precipitated or deposited a rudimentary federal system'. Secondly, federalism helps explain how and why such constitutional developments 'should be rendered coherent and explicit.' (Forsyth 1996, p.37). Moreover, by recognising that federalism may be more than just a one stop event, it becomes possible to gauge the federal character of EU institutions as part of a "process,' 'continuum' or 'spectrum.'" (Forsyth 1981, p.6). This spectrum ranges from the existence of separate independent governments, to traditional alliances, federal union, federal state, and finally unitary state. (Forsyth 1981, p.7; Riker 1996, p.11). The defining feature of each of these stages is the degree of centralisation amongst the constituent units.

Federal union or 'confederation' occupies the 'spectrum' which, defined in terms of the relations among constituent states, falls between interstate and intrastate relations, or between international relations and domestic federal relations. It is the development of this stage which needs to be further developed in order to explain not only the 'federal end,' but also the 'federalising process' of the EU (Pinder 1986, p.51). The confederal model fulfils two diagnostic roles. On the negative side, the confederal label has been applied to the EC during the period of Eurosclerosis in the 1970s and early 1980s, to denote the evolution of some sort of hybrid intergovernmental regime, 'stuck between sovereignty and integration' (Wallace 1982, p.67; see also Taylor 1975, O'Neill 1996). On the more positive side, as Alex Warleigh points out, the confederal model as proposed by Forsyth, captures the dynamic processes of integration in 'a union of previously sovereign states created by Treaty, which may or may not develop into a federation...' (Warleigh 1998,

p.15). A confederation is clearly not a state; nor is it a union of individuals. It is a union of states, which goes beyond a conventional international organisation or alliance. (Forsyth 1981, p.7) A confederation can therefore be said to exist when 'a certain threshold of intensity has been reached in the relationship between states,' which makes it possible to draw a distinct line 'between 'us' and 'them'.' (Forsyth 1996, p.37) In the case of the EU this has been achieved in the economic sphere through the creation of the single market, the common external tariff, and Economic and Monetary Union but has yet to be fully achieved in CFSP.

A further prerequisite of federal union is a set of permanent institutions to represent the union both internally and externally. Such institutions do not act merely as technical agencies but give 'political personality' to the union. This does not require the abolition of constituent units but true to the federalist paradigm creates a new tier of government with its own reserved powers. (Forsyth 1996, p.38) The EU Treaties establish a number of permanent bodies. These institutions have the ability to make directly binding laws within limited sectors. The European Court of Justice has jurisdiction above some aspects of national law; the Commission initiates and formulates policy; the directly elected Parliament has limited budgetary and co-legislative powers; even the Council of Ministers fulfils 'an authentic federal principle' as representative of the member states. (Forsyth 1996. p.40) Consequently, it is possible to define the EU as federal union in the following terms; ' a permanent linking together of states to form a corporate entity with a distinct boundary *vis-à-vis* the outside world [i.e. international 'presence'], and possessed of two co-existent structures of government, one at the centre, and one at the level of the Member States.' (Forsyth 1996. p.40).

John Pinder (1986, 1995), also applies the term federal union to describe the EU. However, he is less convinced than Forsyth as to federal credentials of European institutions and suggests a number of necessary reforms. Amongst the necessary adjustments would be to give the European Parliament co-legislative powers with the Council, where majority voting would become the norm, and to give the Commission full executive powers while making it responsible to Parliament. Thus the Council and Parliament would become a bicameral legislature and the Commission would be transformed into the Union's government. With these reforms in place the EU would constitute a 'federal economic union.' Additional responsibility for foreign and security policy and justice and home affairs would expand the scope of the union, however, a federal state would not emerge 'unless the union were given responsibility for the armed forces.' (Pinder 1995, p.22). Precisely how this might be achieved is not elaborated upon; an all too common feature of federalism. Nevertheless, Pinder does offer what he calls neo-federalism as an alternative to the 'great leap' approach, which 'inhibits practical thought about further steps in a federal direction...' (Pinder 1986, p.53). Through a 'synthesis of the federalist and the neo-functionalist approaches' he recognises the importance of the step by step approach to integration but is more conscious than neo-functionalists of an explicitly federal outcome. (Pinder 1995, p.240-241)

Application of the confederal model to European integration has also contributed to the surge in interest in EU studies amongst scholars of comparative politics, who view the Union as constituting a polity in its own right (Warleigh 1998, p.1). W. Wessels (1985) and R. Pryce (1989) adopt such an approach. Co-operative

federalism does away with defining a clear separation of powers, for a system whereby authority is shared between levels of government; 'Neither by itself has either the material instruments or the legal competence to deal adequately with a range of problems: they each supplement the other.' (Pryce 1989, p.13) Such a brand of federalism, while sitting uneasily with classic definitions of federalism, corresponds not only to some of the institutional arrangements of the EU but also to German federalism. In Germany, as F. W. Scharpf (1988) illustrates, authority is shared between the federal government and the regional *Länder*. Unlike the constituent states of America, the *Länder* governments are represented themselves at the federal level (*Bundesrat*), not through direct elections as for the US senate. All important legislation requires a majority in both the federal legislature (*Bundestag*) and the *Bundesrat*, and therefore is reliant upon the consent of the *Länder* governments. The *Länder* governments are also responsible for implementing most federal legislation, although their freedom to act is constrained by federal taxation. Thus, there are some obvious parallels with the EU set up where, with varying degrees of input from the European Parliament, the Council of Ministers, representing the member states, remains the centre of power and the member states themselves are responsible for implementing Community legislation. (Scharpf 1988, p.242-243) However, Scharpf cautions against using the German example as a model for a European federation, given the cultural and economic uniformity of Germany compared to the diversities across the EU.²² (Scharpf 1996, p.366) Moreover, there is a danger that in failing to define a precise division of power the 'expansionary logic' of the internal market could lead, unchecked, to an

²² Interestingly, in his inaugural speech to the Bundestag, German Chancellor Gerhard Schröder called for a 'federal order in Europe,' drawing upon the success of the German federal system. (Daily Telegraph, 11/11/1998)

'asymmetrical allocation of power' to the centre, at the expense of both democratic accountability and national authority. (Scharpf 1996, pp.368-273)

Alberta Sbragia (1992) identifies what she calls 'segmented federalism' within the EU. The defining features of this federalism are its treaty, as opposed to constitutional basis and the 'strength of the territorial dimension,' which is 'exceptionally strong on its own as well as being represented by national governments.' Both these factors strengthen the role of national governments. Change through treaty provides the opportunity for governments to develop the Union to suit their own interests, in contrast to the continuity of constitutional amendment. (Sbragia 1992, p.271) Meanwhile, the territorial claims of the member states continue to exercise a powerful hold over their populations. This lack of homogeneity does not rule out the possibility of federation, indeed in the absence of such cleavages a unitary rather than federal state could be established. Nevertheless, because of the centrality of the territorially organised units, 'it is extremely difficult to imagine a federal Community, much less a federal type organisation, in which territorial politics would not play a central, and most probably dominant role.' (Sbragia 1992, p.280) In this way a European federation, based around the EU, would differ significantly from any other existing federation in the dominant role given to its constituent states.

As a theory of integration federalism remains unsatisfactory in explaining the processes at work to bring together the independent sovereign states of Europe. It is most helpful when identifying the proto-federal attributes of EU institutions. Part of the problem with federalism is that it is 'unquestionably ideological in the sense that

it is a prescriptive guide to action... to achieve a federation.' (Burgess 1986, p.14). It is this ideological component, which sees the replacement of individual national states with a federation of states that is the cause of the controversy surrounding the 'f-word.'²³ Yet the attraction to a federal solution in Europe is that it 'allow(s) the European nations to pool their resources while retaining their traditional diversities.' (Brugmans 1967, p.1025) Its emphasis upon a formal constitutional arrangement for European governance would serve, if properly constituted, as much to protect the authority of member states against unnecessary encroachments from the centre as visa versa; an issue which can only become increasingly salient as EU institutions continue to expand their competencies. Finally, an area of federalism that has been ignored since the failure of the EDC i.e. defence, has crept back onto the European integration agenda. Not in the sense of a perceived military threat, as suggested by Riker and Wheare, but through the growing recognition among European governments of the need for a distinctly European defence capability. The EU is not the only institution involved in this debate, which is still in its earliest stages, nevertheless, the significance which federalism lends to authority over armed forces could provide a useful insight into how the EU might attain a defence identity, and the consequences of such an acquisition on the nature of the European Union itself.

Functionalism

Functionalism provides the antithesis to federalism in integrationalist thought in that its ultimate objective, world peace, precludes the creation of a federal state, which merely magnifies the problems created by the existence of states in the international system.

As such the functionalist approach to integration is best applied to the process of

²³ The very word federalism or federal came to be seen almost as a term of abuse by the British government during the Maastricht negotiations in 1991.

integration in Europe rather than the ultimate outcome, other than as a critique of federalism. Moreover, functionalism provides the basis of the neo-functionalist paradigm, which despite attempts at wider application has based its hypotheses on the evolution of the EU.

The functionalist theory, most prolifically espoused by Mitrany (1965, 1966, 1975), grew from the belief that the nation-state was both responsible for the two world wars of the century and incapable of fulfilling the task of reconstruction. By contrast an international organisation could confront essential welfare tasks through the more effective pooling of resources while simultaneously eroding popular support for nation states and thus diminishing the perceived threat to world peace posed by nationalism. This was not to be achieved, however, through a frontal attack upon sovereignty but through the delegation of the proliferating range of technical and supposedly politically neutral tasks that governments were increasingly asked to perform, to the international level. Integration would be initiated in such non-controversial yet important areas as the regulation of international shipping and mail. The organisation would continue to build upon pre-existing interdependencies by taking on specific functional tasks for economic and welfare co-operation. This would avoid divisive political debate while creating a community of interest, which would ultimately render national frontiers meaningless. Peace would therefore be assured 'not negatively - by keeping states apart - but positively by engaging them in co-operative ventures' (Lodge, 1994, p.xix).

At the heart of the functionalist theory lies the conviction that 'the development of international economic and social co-operation is a major prerequisite for the ultimate solution of political conflicts and the elimination of war' (Claude 1964, p.67). This

indirect approach to the creation of world peace is based on the assumption that through the provision of welfare by international organisations the nation-state will lose its position as the focus of individual loyalty. War would become both unnecessary and unwageable.

Built against a background of increasing economic and technological interdependencies, the basis for integration will be determined by the 'nature' of each function, illustrating 'the conditions under which it has to operate, and the needs of the moment' (Mitrany 1966, p.70). There is no need for rigid constitutional restraints: the dimensions, organs and powers of an organisation will depend upon the requirements of a particular function, (Mitrany 1966, p.73) 'form will follow function' (Taylor 1994, p.126). The organisation will therefore remain flexible and dedicated to the performance of its specific task rather than being constrained by ideological and constitutional dogma. According to Mitrany a peaceful international society is more likely to grow through doing things together in the work shops and market place than by signing pacts in chancelleries' (Mitrany 1966, p25).

Security, in Mitrany's view will be treated essentially the same as any other function, it is 'not something that stands in stern isolation, overriding all the others' (Mitrany 1966, p.76). He does however concede that some 'negative' functions such as security or law and order, which are of particular political importance, may be treated with a certain degree of fixity' (Ibid. p.71). However, in a world where war has been made obsolete the need for integrated security and defence is diminished.

The true functionalist therefore disapproves of such treaty based regional organisations as the EU. Mitrany observes:

‘There is little promise of peace in the mere change of rivalry of Powers and alliances to the rivalry of whole continents, tightly organized and capable of achieving a high degree of, if not actual self-sufficiency. Continental unions would have a more real chance than individual states to practice the autarchy that makes for division’ (Mitrany 1966, p.45).

What Mitrany envisaged was a rather complex network of international and transnational organisations developed at the level, regional, continental or global, best suited to the fulfillment of a particular task. Nevertheless functionalism remains essential to a comprehensive understanding of European integration. (Harrison 1974, p.23)

Functionalism is based upon a number of assumptions, the ambiguities of which soon become apparent. Primary among these is the conceptual gap within the form follows function dictum. To assume that a particular problem could spawn an organisation to aid its resolution would be overly simplistic. Functional needs have to be identified before they are addressed, therefore, unless some prior consensus is assumed ‘functionalist theory runs the danger of arguing that functional needs are best determined by social scientists, experts or, indeed political leaders’ (Pentland 1973, p85). Naturally it will fall upon the political elites of the nation-states to initiate the functional process before it is able to continue its inevitable and organic transformation of global society. It is assumed that, unable to control the demands of the modern world, governments will delegate certain, non-controversial tasks to the international agencies who then share in their costs as well as their authority. However, as Pentland observes (1973, p.82) such action requires a rationality among national elites which functionalists would not normally attribute them, otherwise ‘if governments are

naturally co-operative, the problem of world order does not arise, if they are not they can hardly be expected to dissolve themselves rationally and incrementally' (Ibid. p83). Indeed, they would be far more likely to claim credit for the benefits produced by the international organisation, thus strengthening their own position as the focus of their citizens' loyalties. (Claude 1964, pp349-355)

The functionalist argument, however, stresses the important difference between those areas of 'low politics' such as economics and welfare, in which governments are prepared to relinquish their authority as opposed to areas of 'high politics' such as security and defence where national control is of greater significance. The difficulty of sustaining such a distinction, as discussed in the previous chapter, is one shared with neo-functionalism. In Mitrany's scheme the somewhat fuzzy line between high and low politics will be lowered through a process of education, by which welfare issues are conceived in the broadest sense. Eventually, therefore Taylor argues 'the question of whether or not to hand over responsibility for defence and foreign policy, for instance, to a new common institution is bypassed because it has become irrelevant' (1990, p.132).

However, the possibility of identifying any apparently non-controversial issue, even at the lowest possible level is difficult. Whilst the post World War Two international system has experienced an increase in interdependence it has also seen governments, particularly in the more industrially advanced countries, increasingly involved in apparently mundane welfare, economic and even technological matters. As a result 'their management has made national governments loom larger than ever in the life of each of its citizens.' (Pryce 1989, p.5) As a result it is difficult to identify a functional

task that is not seen to touch on the perceived vital interest of a state. The EU's Common Agricultural Policy (CAP) provides one such example; a functional need required the formulation of a Community policy on agriculture, on the surface a largely technical matter, yet CAP has proved to be one of the greatest causes of intra-Union strife. Moreover, within the international system as a whole conflict has become centred upon economic resources rather than the acquisition of territory and military might. Indeed, as Archer observes (1993, p.94), international conflict may in fact increase if expectations are raised and especially if significant reallocation of resources is required. Given the great disparities of wealth and economic development that exist it is perhaps more logical for such matters to be dealt with at the national level.

In order for functional integration to be successful there must be a shift in individuals' loyalties. Functionalists assume that people, being utilitarian, will focus their loyalties on those agencies that provide for their welfare. Loyalties must therefore be 'fractionalized' (Pentland 1973, p.85), transferable function by function. As for the more emotional elements of political loyalty, these are ascribed secondary importance, a sign of the 'functional inadequacy and political dangerousness' of the nation state (ibid.). Loyalty will continue to be transferred to the functional agency thus educating the population and pressing for more integration.

None of this, however, is to deny the continued existence of the nation state. Indeed, as Mitrany argued, 'the functionalist approach does not offend against the sentiment of nationality or the pride of sovereignty' (1965, p.139). Mitrany does not view sovereignty as an indivisible whole; 'a slice of sovereignty' may be 'transferred from the old authority to the new,' (1966, p.31) or it could be shared. At no point does the

state actually lose its sovereignty, sovereignty merely becomes irrelevant. (Taylor 1990, p.132) Nevertheless, and despite Mitrany's own misgivings about regional organisations, the EU or specifically the ECSC provides 'the purest and most self conscious application of Mitrany's functional strategy' (Pentland 1973, p.98). Indeed as a regional organisation the EU demonstrates more of the characteristics conducive to functionalism - similar levels of economic and technological development, elements of a shared culture and history - which provide a possible consensus upon which to build functional co-operation.

Neo-functionalism

As it stands functionalism fails to satisfactorily explain the dynamics of integration on either a European or global basis, nor indeed how or why particular sectors are more or less susceptible to integration. It is therefore necessary to turn to neo-functionalism and what Pentland terms the 'Community method of integration.' (Pentland 1973) Neo-functionalism, as the name suggests, builds upon the functional linkages of functionalism to place greater emphasis upon political factors - governmental and non-governmental. As Ernst Haas recognized in the second preface to his analysis of the development of the ECSC, 'Economic reasoning alone was not sufficient,' for the ECSC to expand its tasks because, 'Politicians *were* important in the process.' (Haas 1968, p.xix) The founders of the ECSC were explicit in their intentions and strategy:

'Europe will not be made all at once, or according to a single, general plan. It will be built through concrete achievements, which first create a *de facto* solidarity . . . The pooling of coal and steel production will immediately provide for the setting up of a common basis for economic development as a first step in the federation of Europe. (Schumann Declaration, *Financial Times* 10/5/1950)

As a result it is the neo-functionalist approach that has received the greatest attention as both theory and practice.

The emphasis placed upon political factors constitutes the primary difference between functionalism and neo-functionalism, together with neo-functionalism's approval of functional integration on a regional or territorial basis. In neo-functionalist terms integration is a process 'whereby political actors in several distinct national settings are persuaded to shift their loyalties, expectations and political activities toward a new and larger center, whose institutions possess or demand jurisdiction over pre-existing national states.' (Haas 1966, p.94) It is a period of time over which the transformation from customs union to political entity takes place. (Haas 1964, p.710)

Neo-functionalism, as first developed by Ernst Haas, is essentially functionalist and straight-forward. Converging economic interests, leading to increased trade flows, result in sectoral agreements and the creation of a supranational bureaucracy. As the volume of trade continues to expand between the same sectors in different countries so does the power of the bureaucracy. Interest groups, such as industrialists and trade unions, then begin to reorganise in response to the wider scope of their interests; eventually this will produce a shift of loyalties away from the nation state towards the new power centres.

In order for this process to take place a number of background conditions must be fulfilled. Member units must be compatible in terms of size and power in the relevant sector to prevent the emergence of a hegemonic power (such a power has arguably evolved in the case of Germany within the EU). There must exist a high rate of inter-unit transactions to allow for functional linkages, a degree of social pluralism and élite compatibility. (Haas 1964, p.711) Thus the existence of pluralist, liberal

democracy is a vital prerequisite for integration. Here pressure groups and political parties representing specific interests compete for resources, allocated by the national government, against a background of political consensus. It is these pressure groups, particularly those representing economic interests (Haas 1964, p.46), which, according to Haas, push national governments towards the integration process, in order to satisfy their own needs. (Haas 1968, p.5) Once the initial integrative step has been taken and a new supranational institution established, interest groups would begin to re-direct their activities and loyalties towards the new centre. As a result the national political system will be transposed to the regional level and with it, as Haas observed; ‘Group conflict [which] is a given and expected form of conduct in the nations under study. . . a larger political community. . . may well be expected to display the same traits’ (Haas 1968, p.xxxiv).

It is debatable, however, whether as Harrison points out, ‘the orthodox model of the pluralist society ever corresponded to an existing reality’ (Harrison 1990, p.148). Pressure groups have ‘not become the great promoters of further integration which some of the earlier neo-functionalists expected would be the case’ (Pryce 1989, p.19). Certainly pressure groups fail to fulfil their roll as the channel for all legitimate interests. Some are very much bigger and more powerful than others, enabling them to gain greater influence on the government.²⁴ Many of the groups themselves are oligarchies from which the mass membership is remote in terms of both involvement and commitment. These disparities are exacerbated by the institutionalisation of group/government consultation. The result is that pressure group leaders are themselves ‘part of a *national* leadership complex,’ and therefore less likely to find

²⁴ There is little significant pressure group activity in CFSP. The military could be regarded as an epistemic community, influencing government policy in pursuit of sectoral interests, but on the whole they are constitutionally limited and perform a task more akin to civilian civil servants.

much in common with their counterparts in other countries (Harrison 1990, p.147). Moreover, where reorganisation has occurred at a European level, the gulf between mass membership and leadership has widened (Hix 1994, p.13) while their involvement in policy making has been limited (Moravcsik 1991, p.65). The neo-functionalist concept of pressure group activity also fails, like functionalism, to account for non-rational, ideological or nationalistic behaviour. In such instances as Pentland observes, it is possible that 'individuals or groups are acting contrary to what observers perceive as their real interests' (Pentland 1973, p.125).

This emphasis on interest group activity does not depend initially upon mass support. (Harrison 1990, p.141) Neo-functionalism views integration as an essentially élitist operation. Nor does it require that all those participating in the process possess identical aims. Referring to the ECSC, which he argues 'was initially accepted because it offered a multitude of different advantages to different groups,' Haas states that 'the initiation of a deliberate scheme of political unification, to be accepted by the key groups that make up society, does not require absolute majority support, nor does it rest on identical aims on the part of all participants' (Haas 1968, p.xxxiii). '*Compatibility* rather than *coincidence* of group interests,' (Harrison 1990, p.141) is therefore required, particularly amongst élites involved, to be based upon ideological and cultural consensus developed through system wide interaction and socialisation at the supranational level (Pentland 1973, p.120). Integration therefore occurs as a result of the convergent interests of government, interest group and party élites. Indeed, as Pryce observes the 'élites of the original Six have supplied the major motive force of the Community' (Pryce 1989, p.18) - not by challenging national authority but through coalitions of interest, allied to those in power (Ibid. p.24). The limitations imposed

upon the integration process through the concentration on élite preferences and, as a consequence, bureaucratic governance, have resulted in a perceived democratic deficit which leaves individuals under represented in, and remote from, the supranational organisation. This was clearly demonstrated within the EU when the Maastricht Treaty was initially rejected by the Danish electorate and only narrowly accepted by the French people.

Central to the neo-functionalist paradigm is the concept of ‘spillover’. Spillover refers to the process whereby ‘imbalances created by the functional interdependence or inherent linkages of tasks...’(Nye 1980, p.289) causes ‘members of an integration scheme - agreed on some collective goals - attempt to resolve their dissatisfaction either by resorting to collaboration in another related sector (expanding the *scope* of mutual commitment) or by intensifying their commitment to the original sector (increasing the *level* of mutual commitment) or both’ (Schmitter 1969, p.162). In order for spillover to work the sector to be integrated must be carefully selected. To involve governmental and group élites the sector must be of some importance and contain a degree of controversy although it should not be so controversial that states feel their vital interests threatened, hence the choice of the coal and steel industry as the foundation for European unity. Moreover the sector should be ‘inherently expansive’ so that ‘strains and distortions’ (Harrison 1974, p.76) are felt in related sectors which are then remedied by further integrative measures. Such a process, it was asserted by Haas and Schmitter would be automatic as a result of the self-interest inspired decision-makers’ ‘desire to adapt integrationalist lessons learnt in one context to a new (related) situation’ (Haas 1964, p.45).

Critical to this process is the roll played by the new central institutions. In complete contrast to the functionalist dismissal of institutions neo-functionalism places great faith in their ability to further expand the integration process. As Lindberg observes, 'the ability of any of the Six to achieve major policy goals is dependent upon the attainment by the others of their policy goals. In such a situation, the role of the central institutions in helping to define the terms of the final agreement is crucial' (1963, p.288). The institution, through its role as policy initiator, must therefore play a progressive rather than passive role as it 'will affect political integration meaningfully only if it is willing to follow policies giving rise to expectations and for more - or fewer - federal measures' (Haas 1968, p.xxxiii). It is unclear, however, exactly how institutions will be able to play such a creative role lacking, as Archer points out, 'the day-to-day political resources available to the national political actors' (Archer 1993, p.101). Either, as Pentland suggests, they are attributed sufficient resources from the outset, in which case, how are they obtained? Or is it left for the states to work out problems for themselves? (Pentland 1973, p.126). It would appear that decisive central action would remain dependent upon its constituent units.

The automatic nature of spillover failed to be born out by events within the EU during the 1960s and 1970s, causing neo-functionalists to retreat from their original assertions. Schmitter therefore redefined automaticity as 'a (theoretically) high probability that spillover . . . will occur' as 'conflict between national actors . . . is likely to be resolved by expanding the scope or level of central institutions' although 'there is no guarantee they will always be successful' (Schmitter 1969, p.164). Haas also granted that progress based upon 'pragmatic interests' such as he had advocated is in fact 'bound to be a frail process, susceptible to reversal,' should states decide their vital interests are at

stake (Haas 1967, p.315). Moreover, as Haas observed in 1976, at a time of 'turbulence' when discussion and negotiation is dominated by confusion, national actors will attempt to maximize the opportunities open to them. Consequently it is highly probable that purely national options or those involving third parties will be preferred to the constraints of the regional unit. (Haas 1976)

Joseph Nye outlines three alternative measures that might accompany a rise in the level of transactions: an attempt to reduce the volume of transaction; resort to national solutions; an increase in the capacity of existing institutions without increasing the scope of tasks (Nye 1980, p.289). Ultimately if a lack of political will exists, overburdening of the central institutions could lead to the collapse of the integration process. Nye, however, suggests the most likely outcome will be a kind of equilibrium in which 'most political decision makers will opt for the status quo at any level as long as the process forces or popular pressures are not strong enough to make this choice unbearable for them' (Nye 1980, p.299). Integration is then seen 'not as automatic but as contingent' as a result of which, in Pentland's opinion, neo-functionalism 'becomes considerably less useful, restricting as it does to issues of less political importance' (Pentland 1973, p.110)

Nevertheless neo-functionalism does predict a process of politicisation. This is the process whereby 'national political actors find themselves gradually embroiled in ever more salient or controversial areas of policy-making.' As a result more people are effected by integration, leading to a shift in expectations and loyalties towards the centre. (Schmitter 1969, p.166) It also implies that actors will automatically refer to

the centre in resolution of common problems, a projection subject to similar limitations as those concerning spillover.

The culmination of politicisation is political union. This is the condition under which 'existing member-states cease to act as autonomous decision-making units with respect to an important range of policies,' and where actors 'bestow a significant portion of their loyalties' upon the new regional entity (Haas & Schmitter 1964, p.709-10). In practice it is difficult to establish exactly when an entity progresses from purely economic to political union. Politicisation can be said to have occurred on a global scale in that issues that may appear of a purely technical or economic nature have become 'controversial' and therefore political in nature. For example economic sanctions can not only be effective in causing hardship, but can also send clear messages of political intent, for example, EC sanctions against Argentina during the Falklands War in 1982.

The above example also serves to illustrate a further process involved in the neo-functionalist hypothesis - externalisation. Collective action within a functional field is bound to effect outsiders so as to produce either positive or negative reactions which themselves require reciprocation from members of a unit. As a result 'the participants will find themselves compelled - regardless of their original intentions - to adopt common policies vis-à-vis non-participant third parties. Members will be forced to hammer out a collective external position (and in the process are likely to rely increasingly on the new central institutions to do it).' This will eventually result in 'the elaboration of a common foreign policy' (Schmitter 1969, p.165) suggesting that integrated foreign policy is more likely to be achieved as a result of external pressures

than internal spillover. Nye, however, is less optimistic believing 'the sense of reduced alternatives and the precipitation of larger crises will probably fail to have an integration effect the closer the issues come to the security and identity areas that are of greatest concern to popular political leaders' (Nye 1980, p.298). Indeed, as during a period of turbulence, member states choice to react to international pressure by increased policy co-ordination within the unit cannot be predicted. The utility of Schmitter's hypothesis also depends on a definition of foreign policy, whether referring strictly to the pursuit of common political and strategic interests or to broader socio-economic external relations.

Both politicisation and externalisation assume the existence of a 'continuum,' similar to that envisaged by functionalists, in which economics and politics are inextricably linked. However, Stanley Hoffmann, perhaps one of neo-functionalism's most conspicuous critics, has argued for the salience of the distinction between high and low politics. Under the heading of 'low politics' lie issues of economic welfare that could produce clear gains and losses for the populous whilst infringing little upon the vital interests of nation states. However, when dealing with major issues of foreign policy and defence 'nations prefer the certainty, or self-controlled uncertainty, of national self-reliance' to any commitment to supranational mechanisms (Hoffmann 1966, p.882). The distinction between high and low politics can be conveniently applied, in theory, to the EU which can be said to have external relations through its existence as an economic bloc and major world trading partner. These relations, covered in the Treaty of Rome, 1957, include such 'low politics' issues as trade relations and the imposition of sanctions. However, as it is impossible to produce a definitive definition of economic and political issues and hence of 'low' and 'high' politics. Moreover, 'The same issue may shift on the spectrum between 'low' and 'high' (a) according to specific

circumstances, (b) within time, and (c) between different countries. Hence no clear lines can be drawn either according to issues or attitudes alone' (Kaiser 1967, p.401-2).

The many weaknesses in the neo-functional argument, highlighted by the inability of integration to progress from the mid-1960s, led to its marginalisation as an explanation of patterns of integration by the 1970s. However, just as the EU was rejuvenated by the Single European Act (SEA) in 1985, so neo-functionalism and integration theories in general enjoyed a renaissance. Since the late 1980s the functional linkages inherent in neo-functionalism have been combined with more realistic images of the state and analysis of domestic politics in order to explain the stop-go nature of European integration.

In posing the question; 'Neo-functionalism: Obstinate or Obsolete?' Tranholm-Mikkelsen argues that the 'renewed dynamism' of the EC following the SEA 'reveals important elements of the neo-functional logic,' which 'should lead to renewed research along neo-functional lines.' (Tranholm-Mikkelsen 1991, p.2). Primary amongst these is, as David Mutimer suggests (1989, p.78), the concept of spillover with its emphasis on functional economic integration, leading eventually to political integration. However, unlike early neo-functional prescriptions Tranholm-Mikkelsen and Mutimer strip spillover of its deterministic character. Consequently by denying the automatic nature of spillover the prerequisite of political will favourable to, or at least not diametrically opposed to, further integration, is recognised. As Mutimer observes; 'Regardless of the pressures for increased centralization within the Community, the position of states is still sufficiently strong that substantial transfers of authority will depend upon the will of the governments involved.' (1989, p.80). Such a caveat is

required given the level of development achieved by the Community since the SEA. Traditional neo-functionalism was developed during, and indeed best describes, a period of initial integration, when sectors becoming subject to supranational governance were essentially non-controversial and central institutions weak. (Mutimer 1989, p.82). As Community institutions have matured to achieve that ambiguous status between international organisation and federal state, the politicalisation of integration, anticipated by neo-functionalists, has created tension between the expanding central institutions and the contracting, though still dominating, member states. However, if the logic of unrestrained spillover is unsustainable, the underlying logic behind spillover remains, as Mutimer and Tranholm-Mikkelsen maintain, a useful analytical tool in identifying 'informative and illustrative suggestions as to the possible course of European politics rather than as hypothesis grounded in a potentially general law.' (Mutimer 1989, p.82).

Mutimer identifies a number of aspects of the SEA which sustain this modified version of neo-functionalism. He demonstrates how the apparently technical requirements for completing the Single Market have 'hidden' political implications which provide the potential for spillover (1989 p.86). For example, the removal of internal borders creates pressures which are best resolved through centralised policies for immigration and gun control, thus strengthening the power of central institutions over contentious political issues. However, as Mutimer emphasises, such an extension of the spillover logic requires the support/consent of member states. Indeed the inclusion of such issues into the third, intergovernmental, pillar of the Maastricht Treaty would appear to confirm the co-existence of two apparently contradictory impulses, between communautairisation and nationalisation. Or as Tranholm-Mikkelsen observes, the 'twin forces between a

'logic of integration' and a 'logic of disintegration' (1991, p.18); a trend apparently confirmed by the second pillar of the Maastricht Treaty. These two opposing forces encompass both the logic of spillover and the continued resilience of the nation-state. To recognise such fails to fit neatly into any theoretical camp, but it does highlight the key dialectic that any understanding of the EU must embrace.

A further significant innovation of the SEA, with neo-functionalist undertones, is the introduction of qualified majority voting (QMV) for legislation required to implement the provisions of the act. According to Mutimer, the acceptance of QMV by the member states is indicative of their recognition of the need to strengthen the central authority for the sake of further integration, which they perceive to be in their interests. By accepting the principle that their own decisions can be over ruled in the Council, member states effectively accept what amounts to 'a clear encroachment' on their sovereignty (Mutimer 1989, p.84) However, this does not amount to a 'transfer of that sovereignty to a federal authority. It results rather in what in 'the pooling of sovereignty' (Mutimer 1989, p.97). In addition to supporting the neo-functionalist thesis regarding the advance of political integration, the mechanisms of QMV also serve to 'institutionalise' the requirement for agreement based upon 'generally similar, rather [than] convergent or identical interests among sovereign states' (Mutimer 1989, p.84). Not only does this improve the chances of further integration taking place but also leads to the possibility that common positions will reflect a balance of national positions rather than merely the lowest common denominator.

However, while accepting a 're-emergence of the neo-functional logic' (Tranholm-Mikkelsen 1991, p.16) there remain a number of limitations. Firstly, while explaining

the conditions that lead to integration, neo-functionalism fails to explain why, over significant periods, integration has failed to take place. Tranholm-Mikkelsen points to the co-incidence of strategies of economic liberalisation coupled with legally binding mechanisms, during the two most proactive periods of integration i.e. 1950s to early 1960s, and the mid-1980s to early 1990s, as appearing particularly conducive to functional and political spillover (1991 p.16). Neo-functionalism also fails to take account of and accommodate the negative impact of strong personalities such as Charles de Gaulle and Margaret Thatcher. It also underestimates the significance of popular support and the diversity of member states. (Ibid. p.16-17).

In an attempt to account for these discrepancies, Corby suggests the process of 'dialectical functionalism,' by which spillover remains the motor of integration, although at a different pace than originally conceived. According to this hypothesis integration in one sector encourages governments to actually increase the level of their intervention in adjacent policy areas, to increase competitiveness and compensate for autonomy lost in the integrated sector. For example, completion of the common market in 1968 led governments to increase the application of non-tariff barriers. Interest groups will also reorganise - partly at the European level and partly in adjacent areas. This process will take place in all member states until the strength of pressure group activity in these sectors becomes uncomfortable for governments. Combined with the increasingly self-defeating consequences of inter-state competition this will lead governments to seek a European solution. Hence by the early 1980s it had become clear that a fragmented market was a major obstacle to international competitiveness. Vested interests, however, were against the removal of national subsidies - Europe provided the necessary scapegoat.

The stop-go nature of integration is therefore accounted for as initially 'functional linkages are reacted to nationally' (Corby 1995, p.264): states attempt to resist the logic of spillover while subconsciously creating the very conditions for it to be effective. The apparent 'crisis' of integration following the Maastricht Treaty is therefore, Corby suggests, merely that period of stagnation during which 'member states have always protected their sovereignty in adjacent areas' (Ibid. p.231). Dialectical functionalism fails, however, to provide an explanation for the initial decision to integrate when states so clearly feel it necessary to safeguard their own sovereignty. Integration, based on functional linkages, is initiated by preference convergence among the key national actors; pressures for further integration are resisted by national governments who remain the dominant policy-making units. Once established the EU, acting as an advanced regime, affects the domestic policy choices available to governments. Should decision-makers in the key member states wish to expand Union competencies this will occur, but at a lower level than that encouraged by the Community institutions.

The main contribution of neo-functionalism to the integrationalist debate is the suggestion that economic integration should create pressures – spillover, politicisation, externalisation – leading integration to the political level and thus to encompass foreign and security policy. That European Political Co-operation was formalised within the EC by the SEA, to then form the basis of the second pillar of the Union at Maastricht, suggests that such a logic, while not itself deterministic, does in fact exist and may be exploited when conditions in the international system and national policies allow.

Intergovernmental Approaches

The renewed vigour of the EC after 1985 has not been confined to the reappraisal of neo-functionalism. In his analysis of the negotiating of the SEA Andrew Moravcsik advances an approach he terms 'intergovernmental institutionalism' (or liberal-institutionalism, as it has come to be known) (Moravcsik 1991, p.46). This is based upon three principles: 'intergovernmentalism, lowest common-denominator bargaining and strict limits on future transfers' (Ibid.). The EU is treated as a sophisticated regime which provides 'sets of implicit or explicit principles, norms, rules and decision-making procedures around which actors' expectations converge in a given area of international relations' thus facilitating agreement by allowing short-term interests to be sacrificed in the expectation of reciprocation in the future (Krasner 1982, p.97-8).

Integration, according to Moravcsik, occurs as a result of interstate bargains in the Council of Ministers and European Council that is limited by states' need to safeguard their interests and preserve their sovereignty. It is made possible as a result of a 'meeting of minds' (Haas 1964, p.712) among government leaders of the largest member states i.e. Germany, Britain and France. In the case of the SEA German enthusiasm for integration, British desire for deregulation and liberalization of the internal market and the French government's economic U-turn in 1983, combined with the failure of national economic solutions to the economic crisis of the 1970s and early 1980s to provide the basis for integration. The key actors and initiators are the 'heads of government, backed by a small group of ministers and advisers' (Moravcsik 1991, p.47). Other élites, interest groups and the European Commission are of secondary importance, 'mobilized by the emerging consensus for reform, rather than the reverse' (Ibid, p.68).

Sandholtz and Zysman (1989) also emphasize the importance of domestic politics in facilitating a Europe wide response to changes in the international economic system, including the relative decline of the United States, the rise of Japan and a lack of European competitiveness. In contrast to Moravcsik, but in line with traditional neo-functionalist thinking, Sandholtz and Zysman prescribe the role of initiators to business élites and the ‘entrepreneurship’ of the European Commission who were then ‘able to mobilize a coalition of governmental élites that favoured the overall objective of market unification’ (Sandholtz & Zysman 1989, p.96).

Integration is then perceived as a ‘hierarchy of bargains’ between political élites in which ‘the Commission proposes and persuades’ and important business coalitions exercise indispensable influence on government’ (Ibid. p.128). Moravcsik on the other hand contests that the Commission ‘acted on the margins’ while ‘the broader outlines...were proposed, negotiated, and approved, often in advance of Commission initiatives, by the heads of government themselves’ (Moravcsik 1991, p.65). Both agree, however, that ‘governments are receptive because of changes in the world economy and shifts in the domestic political context’ (Sandholtz & Zysman 1989, p.128). What each fails to explain satisfactorily is why a convergence of domestic policies did not occur earlier and why further integration was chosen rather than purely intergovernmental arrangements?

Keohane and Hoffman combine the preference-convergence hypothesis approach of Moravcsik and Sandholtz & Zysman with a refined definition of the neo-functionalist faithful, spillover [and supranationality] whereby;

‘. . . expansion of Community tasks depends ultimately on the bargains between major governments; but that after such a bargain has been made, Community tasks can be expanded as a result of linkages among sectors, as envisaged by the theory’ (Keohane & Hoffmann 1990a, p.227).

Applying this principle it is therefore possible to conceive the SEA as partly resulting from a spillover, not between economic sectors but ‘from one institutional dimension to another’ (Keohane & Hoffmann 1991, p.21). Hence the decision to enlarge the Community in 1973 and 1982 created a situation of ‘institutional stalemate’ (Ibid. p.22) in which arrangements made to accommodate six, and based upon the Luxembourg principle of national vetoes were making effective decision-making impossible. The decision to enlarge the Community therefore rather than impeding further integration, led to such distortions and imbalances as to force members to introduce new institutional arrangements, including the limited introduction of qualified majority voting, in order to carry through policies they perceived to be in their interests.

The SEA also appeared to stimulate spillover, Keohane & Hoffmann point to the so called ‘Delors Package’ to increase the size of the EU's budget in order to finance a redistribution of wealth within the newly created internal market. However, as Lindberg realised spillover could in fact lead to stress (Lindberg 1966, p.254) particularly if it required a degree of sacrifice among the members of an integrative scheme. Indeed this occurred during the debates concerning reform of the EU's budget as negotiations split between net contributors and beneficiaries.

Keohane and Hoffmann therefore remain sceptical believing ‘the 1992 program was much more strongly affected by the world economy outside of Europe...than it was driven by the internal logic of spillover’ (Keohane & Hoffmann 1991, p.19). Nevertheless they do attribute the success of the SEA to a combination of factors

including spillover, changes in the international political economy and ‘intergovernmental bargains made possible by the convergence of preferences of major European states’ (Ibid. p.25).

Conclusion

Throughout much of the above discussion, the inclusion of foreign and security/defence issues in the integrationist project have appeared peripheral to the EU’s primarily economic functions. Nevertheless, the neo-functionalist concept of an economic/political continuum, appears to offer a useful basis for the possible inclusion of foreign and security policy into the integration process (Mutimer 1989). However, by accepting that neo-functionalism is useful in explaining periods of integration, while an intergovernmental interpretation accounts for periods of stasis, one could be accused of an ontological distortion which renders any coherent theory of integration invalid (Moens 1996). Indeed Moens argues that the only basis upon which security policy can become truly ‘functionally integrated,’ is through the creation of a single market for defence procurement. Although Moens bases his thesis on a very narrow definition of economic spillover, there is clearly scope for further investigation into this area.²⁵ In the mean time it remains both important and instructive to understand the integrationist pressure excerpted by the very process of integration itself. Empirical research may prove that the need to deal collectively with external problems provides the major impetus for integration, a need created in part by the external ‘presence’ of the Union that has evolved as a result of essentially economic integration. However, it is through intergovernmental bargaining that integration is ‘allowed’ to proceed, in what remains a member state dominated sector. In order to assess such a prognosis it is necessary to

²⁵ See De Vestel 1995,

place the CFSP within the historical context of European integration, and the processes and pressures that have led to the development of the second pillar of the European Union. This is the task of the following chapters.

Chapter Three

Historical Background: From EDC to EPC

In order to assess the significance and integrationist potential of foreign and security policy in European integration it is instructive to look at the historical relationship between the Community and this sector of integration. Foreign, security and even defence policy have been on the European agenda since the institutional construction of Europe began in the late 1940s, culminating in the defeat of the European Defence Community (EDC), in 1954. This failure has been identified as marking the end of the post-war 'federalist phase' of European integration (Taylor, 1975). From this point on federalist dreams were forced, on the whole, to be content that the functionalist approach to integration would gradually lead to the federal goal. Eventually, it was hoped, national sensitivities concerning foreign and security policy would be overwhelmed by the logic of spillover and that external expectations of a concerted European action would become irresistible. Foreign policy returned properly to the European agenda in 1970 with the introduction of European Political Co-operation (EPC). This intergovernmental framework, which remained outside the Communities until the Single European Act in 1987, provided an alternative to supranational integration for policy co-ordination in this most sensitive sphere of state activity.

European Defence Community

The issue of security struck at the heart of European integration from the beginning. Faced with a Europe divided between two hostile superpowers, West European governments sought to construct an organisational structure that would unite its

members to the extent that war between them would be impossible and, through their collective effort, provide a safeguard against external threats. Consequently, in 1947, Britain and France signed the Treaty of Dunkirk, providing a mutual security guarantee in the event of a resurgence of German military power. The following year, in the face of Soviet efforts to increase their control of Eastern Europe, Britain and France were joined by the Benelux countries as signatories of the Brussels Treaty on Economic, Social, Cultural Collaboration and Collective Self Defence. This laid the foundations for the joint command structure of the Brussels Treaty Organisation (BTO), charged with providing common defence, should one of its members be the victim of armed attack. It also succeeded in demonstrating to the United States that West Europeans were serious about collective defence, with the effect of helping to bring the US and Canada into the talks which led to the signing of the North Atlantic Treaty in Washington on April 4th, 1949. With the subsequent establishment of political and military structures under the North Atlantic Treaty Organisation (NATO) and the appointment of General Eisenhower as the first Supreme Allied Commander Europe (SACEUR), the military organisation of the BTO was merged into that of NATO; thus institutionalising the military dependence of Western Europe on the United States for the next forty years.

Meanwhile, the construction of purely European structures continued apace as the Schuman Plan initiative for a European Coal and Steel Community (ECSC) took shape. The implications of this association of coal and steel producers for the future security of Europe were made explicit from the outset. As Jean Monnet explained, coal and steel had provided both a source of rivalry and the means for war between France and Germany in the past, therefore to 'pool them across frontiers would

reduce their malign prestige and turn them instead into a guarantee of peace'. (Monnet 1978, p.293) Moreover, the longer-term expectation that the ECSC would provide the basis for the future federation of Europe opened the possibility of harnessing German economic power and allowing Europe to resume its proper influence in the affairs of the Cold War world. However, within days of the convening of the conference to draw up the Treaty of the ECSC, the Communist North Koreans invaded the South of the country. This combined with Soviet intransigence in Berlin and the Communist coup in Czechoslovakia, convinced the American government that Soviet expansion had to be contained. In order for this to be achieved, not just in Europe but throughout the world, Europeans would have to take on more responsibility for their own defence. Consequently, it would be necessary for West Germany to rearm.

Coming just five years after the end of the Second World War the very idea of a revived German army horrified Europeans, including many Germans themselves. (Monnet 1978, p.337) Under intense pressure from the US the only acceptable solution to both the French and Germans was to provide for German rearmament within 'a European Army under the authority of the political institutions of a united Europe.' (Monnet's draft proposals for EDC, given to French Prime Minister Plevin, quoted in Monnet, 1978 p.347) However, for the so called 'Pleven Plan' to take shape it would be necessary for the federation of Europe 'to become an immediate objective,' with the political structures in place for a European minister of defence, responsible to a council of ministers and a common assembly (Monnet 1978, p.343, 347). This was recognised by the ardent federalist Alterio Spinelli who in turn persuaded the Italian government, who persuaded the other five governments of the

Coal and Steel Community, to task the High Authority of the ECSC to draw up a treaty for a European Political Community to complement the EDC.

Having been ratified by West Germany and the Benelux countries, and with the Italians waiting for the conclusion of French ratification, the EDC Treaty collapsed. In August 1954 a majority in the French National Assembly, consisting mainly of Communists and nationalist Gaullists, voted against the EDC Treaty and the Treaty was abandoned. Monnet's doubts about integration through defence and the non-viability of a direct assault on national sovereignty in the first instance, had proved well founded as the EDC/EPC was defeated by those who had most to lose in a supranational government (Monnet 1978, p.338). The 'federal phase' of European integration had ended in failure. Indeed, as Pinder points out, with the defeat of the EDC Treaty 'many doubted whether the federal idea could recover from this apparently decisive defeat.' (Pinder 1995, p.7) Henceforth it was recognised that 'Western Europe could approach political union only indirectly, starting with economic and energy policies and leaving such central issues of sovereignty for the far distant future.' (Menon et al 1992, p.100)

The failure of the federal method of integration in Europe also had important repercussions for the future of European security. The problem of how to manage German rearmament remained but the defeat of the French plan gave the British government the initiative. Britain had not been party to the EDC Treaty, remaining staunchly anti-federalist and committed to the trans-Atlantic alliance; both these factors were reflected in the proposed solution of British Foreign Secretary, Sir Anthony Eden (Monnet 1978, p.398). At a special conference held in London in

September 1954, West Germany and Italy were invited to join the existing Brussels Treaty powers to join a revised organisation called the Western European Union (WEU). Under the Paris Accords which followed West Germany and Italy became members of the WEU and NATO. Germany was allowed to rearm, monitored by the WEU and restricted to military activity within the Alliance. As for the WEU, beyond its monitoring duties, most of its security functions were taken over by NATO to which it was formally subordinate on military matters. For the next thirty years the WEU fell into virtual disuse, other than as a forum for British co-ordination with EEC members, following the French vetoes on Britain's entry into the Community. Consequently, what Menon identifies as 'the two dominant parameters of European security,' during the Cold War were established: 'the pre-eminence of NATO and the clear separation of defence issues from the institutions of European integration.' (Menon 1996, p.265) This recognition lay in direct conflict with the 'implicit and, on occasion explicit recognition of the fact that European integration could not be complete without a security dimension...' (Duke 1996, p.169). As Hedley Bull pointed out; 'The first business of any community is to provide for its own security,' (Bull 1982, p.156).

European Political Co-operation

This dichotomy was to continue throughout the 1950s and 1960s. However, foreign policy had far from left the agenda. In 1960 French President Charles de Gaulle attempted to launch an intergovernmental alternative to the Community method of integration, the basis of which was to be a common foreign policy (Piening 1997, p.32). However the plan, named after French diplomat Christian Fouchet, was rejected by

the other member states because it was perceived as too intergovernmental and possibly undermining the position of the US in Europe (Nuttall 1992, p.3).

By the end of the 1960s, however, national, Community and international changes were combining to create 'an accumulation of political will,' that became 'translated into widespread readiness to take steps towards 'strengthening' and 'deepening' European integration' (Ifestos 1987, p.151). The end of the de Gaulle era in France removed the major national obstacle to further integration and enlargement. The other member states were willing to accept French preferences for an intergovernmental form of Political Co-operation in return for British membership of the Community. The prospect of enlargement also created pressure for steps to take integration forwards. Internationally, the Cold War was moving towards détente with the status of the US apparently undermined by nuclear parity with the Soviet Union and its disastrous war in Vietnam. Meanwhile, the Community, through the establishment of the Common External Tariff, Common Commercial Policy and authority to make association agreements, had become 'a major international actor with extensive involvement in international trade, international organisations (UN, OECD) and multilateral arrangements' (Lodge 1989, p.227). EPC was, therefore, 'an attempt to fill the vacuum between internal and external unity and to respond to third parties' needs for a 'European' 'political' interlocutor.' (Ifestos 1987, p.137) As such EPC could be regarded as the outcome of a process of 'externalisation,' or be it manifest in a structure that falls short of the supranational vision of the neo-functionalists, such as Schmitter (1969).

The declaration of the 1969 Hague Summit of the Heads of Government or State, proclaimed that it was necessary for a 'united Europe' to assume 'its responsibilities in the world of tomorrow' and to 'make a contribution commensurate with its traditions and mission' (Hague Summit Declaration in Lodge 1989, p.228). The means for achieving this were to be determined by a committee of political directors, under the chairmanship of the Belgian political director, Etienne Davignon. The subsequent Davignon Report was approved by foreign ministers at their summit in Luxembourg in October 1970. The mechanisms introduced were entirely intergovernmental, based upon regular meetings of foreign ministers and/or their political directors, with no legal obligation to reach a common position. As such EPC was 'indicative of a change in orientation, away from the dream of achieving European union in the near future and towards co-operative frameworks characterised by pragmatism and the preponderance of nation-states' (Ifestos 1987, p.137-8). Nevertheless, by apparently recognising the limits of supranational integration, EPC did allow co-operation between member states on issues upon which there was sufficient consensus and where third states expected a 'European' response, such as the Middle East, Southern Africa and Eastern Europe. It also facilitated the development of a 'co-operation reflex,' where-by consultation and the exchange of information became a habit among officials (Nuttall 1992, p.311-12).

As Douglas Hurd observed when Foreign Office Minister:

'From the top to the bottom of the Foreign Office it has become automatic for anyone considering a new problem, a new situation or a possible new policy to ask themselves what will be the attitude of the other European countries and how can they best be consulted' (Hurd 1981, p.384).

Nevertheless, the purely intergovernmental nature of Political Co-operation with the reluctance of certain member states to delegate authority and the need for consensus,

led to the continued criticism that EPC often reflected the 'lowest common denominator,' with 'more emphasis on procedures than substance' (Tsakaloyannis 1991, p.37). But as Nuttall contends, the maintenance of consensus was (and still is) 'essential for preserving confidence that the system will not develop into an effective competitor' to national policies (Nuttall 1992, p.313). Moreover, Nuttall disputes the production of a lowest common denominator rather a 'median line' is produced reflecting some mid-point on a sliding scale of national positions, reached as a result of member states adjusting their stances in order to produce a generally acceptable compromise. Such a process is made possible by the 'club atmosphere and the predisposition of diplomats to regard a failure to agree as the worst of outcomes' (Nuttall 1992, p.314).

However, such decision-making mechanisms failed to produce a pro-active European foreign policy, being more suited to developing common policies where national interests happened to coincide, for example, regulations for companies operating in South Africa and the Venice Declaration on the Middle East. They were poorly suited to reacting swiftly to international crises, such as the Soviet invasion of Afghanistan and the imposition of martial law in Poland. The Community's inability to respond effectively to these crises provided a major motivation for the reform of EPC, leading to the Single European Act (SEA). It was also becoming increasingly difficult to maintain the artificial divide between 'high' and 'low' politics, as translated into the distinction between the Community and Political Co-operation. In practice the Commission soon became increasingly involved in EPC business as first the Conference on Security and Co-operation in Europe (CSCE) process, then the Euro-Arab dialogue required the employment of political and economic instruments.

By 1981, in the London Report, the Commission was recognised as being fully associated, at all levels, with EPC.

Overall, the institutional development of EPC throughout the 1970s and early 1980s ‘commenced as a trial-and-error process’ (Reglesberger et al 1997, p.3). It was not until the Single European Act, necessitated by the perceived need to give the process of integration further impetus, that EPC came formally within the EC framework, with its inclusion under Title III. Under Article 30, the ‘High Contracting Parties,’ as opposed to the ‘EC Member States’ as under Titles I and II, agreed to ‘endeavour jointly to formulate and implement a European foreign policy’ (Article 30.1). The Commission was confirmed as being ‘fully associated’ with EPC (Article 30.3b). The European Parliament was recognised as being ‘closely associated,’ with the right to be ‘regularly informed... of the foreign policy issues,’ with the assurance that ‘the views of the European Parliament are duly taken into consideration’ (Article 30.6). The Commission and Presidency were to share responsibility for ensuring consistency between EPC and Community policy (Article 30.5). For the first time the ‘political’ as well as the ‘economic aspects of security’ were mentioned (Article 30.6a), although it did not go as far as to include the defence aspects of security which were left to the WEU and the Atlantic Alliance (Article 30.6c). Nevertheless, considering that the mere mention of security had been a ‘taboo for such a long time, the explicit reference to security co-operation in the EC is a big step forward’ (Kirchnir 1989, p.14).

The most significant institutional provision of the SEA, however, was the establishment of a permanent Secretariat in Brussels, to ‘assist the Presidency in

preparing and implementing the activities of European Political Co-operation in administrative matters' (Article 30.10g). However, although housed in the Council building the new Secretariat was kept separate from the Council of Ministers to prevent contamination from the Community (Bretherton & Vogler 1999, p.175). Other than this the SEA amounted to 'little more than a codification of the procedures previously agreed by the twelve. But elevated to legal status' (Dehouse & Weiler 1991, p.188). As a result, 'it left unchanged its character, its working methods and its legal and institutional separation from the EEC' (Ifestos 1987, p.358). Indeed, overall the SEA reinforced 'the assumption that European Political Co-operation is co-operation among sovereign states' (Pijpers et al 1998, p.261). That this was sustained was, to some extent, a consequence of EPC's success in uniting 'the participants behind a common position sufficiently loosely defined to allow each to add his own interpretation, so producing some forward movement without confronting the major obstacles ahead' (Wallace 1983, p.6). In other words, it allowed for co-operation when convenient, while avoiding the need for supranational integration.

EPC and Integration

The real value of the SEA was that it 'recognised EPC as an essential element of the process towards establishing a European Union' (Regelsberger et al 1988, p.91). Indeed, by the end of the 1980s, EPC represented 'a working model of intergovernmental co-operation without formal integration' (Wallace & Wallace 1996, p.417). As such it suited those states for whom EPC was perceived as a useful extension of their own foreign policy, i.e. principally Britain and France. From a federalist or integrationist perspective, however, EPC could be interpreted as a

disappointment, producing intergovernmental or at best confederal structures for foreign policy. At worst, EPC could be depicted as ‘malintegrative,’ stemming the expansion of Community-style integration (Ifestos 1987, p.207). Certainly, EPC had failed either to provide a substitute for EC affairs or to supersede national foreign policies. But arguably the real motivation behind EPC’s creation had been to ‘save’ national foreign policies through a mix of co-operation and integration (Allen 1996, p.289). By 1989, therefore, EPC had come to ‘represent a permanent feature of multi-level and multi-dimensional foreign policy activity in Western Europe,’ which combined national foreign policies, bilateral and transatlantic relations, EC external affairs, and Political Co-operation (ibid.).

However, the significance of EPC for the process of European integration should not be dismissed. It had, after all, been conceived in 1970 as ‘a pragmatic way of achieving a foreign policy identity alongside the economic identities of the Communities, avoiding the institutional quarrels which had brought to nothing earlier attempts’ (Nuttall 1992, p.1). Thus EPC provided a useful mechanism for promoting at least some degree of ‘unity’ among the member states on the international stage, if falling short of actual ‘union’ (Ifestos 1987, p.244). As Etienne Davignon himself observed of EPC: ‘It may be so that it did not create a major impetus [towards integration], it did not profess to lead towards European union, but it is no less true that political co-operation contributed genuinely and positively to greater unity’ (preface to Ifestos 1987, p.xiii).

Conclusion

If EPC cannot, therefore, be equated to an integrative process in itself, it can at least be classified as a facilitator of integration by 'creating the preconditions for integrative change' (Ifestos 1987, p.210). Moreover, the intergovernmental paradigm alone fails to explain such aspects of EPC as the 'co-operation reflex' and the (limited) involvement of the Commission (Bulmer 1991, p.71). Indeed, EPC derived 'much of its force from the fact that the Community appears as a single actor in trade negotiations, in its many association agreements and in discussions on aid...' (Hurd 1981, p.392). As a result EPC came to be characterised by the 'coexistence of intergovernmental structures and integrative processes,' (Ohrgaard 1997, p.3) reflecting the limited pressures for integration beyond the economic sphere (Ifestos 1987, p.563). However, by the end of 1989, events on the EC's borders were conspiring to transform the post 1945 world order, under which EPC had been able to flourish. With the retreat of Communism and the prospect of a reunified Germany in a Europe no longer divided, EPC was to face its greatest challenges (in the Gulf and Balkans) while simultaneously undergoing the transformation into a Common Foreign and Security Policy.

Chapter Four

A Common Foreign Policy for Europe

The development of a Common Foreign and Security Policy is of dual significance in contributing to an understanding of the nature and development of the European Union, as both a sector of integration and as foreign policy *per se*. As such these two elements both contradict and enforce each other. In terms of the overall process of integration, 'the relationship between foreign policy and the EU's internal dynamic is fundamental and conditional on the wider federal-intergovernmental debate,' (Holland 1995a, p.556). Consequently, federal union would be considered the ultimate outcome of an EU foreign policy at one end of the spectrum (Pinder 1995) with entrenched intergovernmentalism at the other. Unfortunately, there exists a tendency among those who espouse a European Foreign Policy as 'a symbol of integration,' to overlook 'its substance and effectiveness' (Allen 1998, p.42). Thus the dichotomy between CFSP as integration and as foreign policy is revealed. Despite the undoubted significance of non-state international actors, foreign policy is still 'regarded as essentially an act of government and therefore exclusive to states' (Ibid. p.43; Clarke & White 1989). The EU is not a state although it is state-like (Smith 1996a, p.247) and through its extensive external relations is involved in much of what constitutes 'the bread and butter of international relations' (Piening 1997, p.44).²⁶ In broadening its relations with the outside world into the field of foreign policy proper i.e. into the realm of 'high politics,' the EU and its member states need to balance the desire for further integration (if it exists!), with the creation of an effective foreign policy, that will serve to enhance rather than undermine the EU's

²⁶ See also Smith (1998) on the increasing significance of the EU/EC's external economic relations.

international standing. The Treaty on European Union is an attempt to resolve this dilemma, whilst also protecting the national interests of member states. Thus producing a further tension in the fundamental contradiction between seeking to maximise the external influence of the European Union and seeking to maintain national competence and authority in foreign policy.

The Road to Maastricht - The rush to European Political Union

The negotiations leading to the Treaty on European Union (TEU) provide an insight to the factors determining the evolution of CFSP. The internal integrationist dynamics of the Community, the domestic political concerns of member states, dramatic international events and the expectations of third countries, all combined to push political integration. The difficulties subsequently encountered, and the manner in which they were resolved, provide an insight both to the extent of integrationist pressures within the EC and among its member states, and the evolving nature of perceived risks to security in the emerging post-Cold War world order.

The Single European Act (1986) had stipulated a review of the provisions for European Political Co-operation (EPC) in 1992. However, in 1989 as the Berlin Wall tumbled and revolution swept through Eastern Europe, over turning the Cold War order, the member states of the European Community (EC) found themselves compelled to reconsider foreign and security policy co-operation (Piening, 1997 p.38). The Common Foreign and Security Policy was therefore meant to represent 'a qualitative leap forward,' equipping the Community and its member states with the means to rise to the challenges and opportunities presented by the end of the Cold War (Eliassen, 1998 p.44). Unfortunately, the task of formulating an effective,

coherent policy was to become immediately complicated by the coincidence of the Gulf War and the outbreak of civil war in Yugoslavia, with the Intergovernmental Conference (IGC) established to discuss European Political Union (EPU). The member states therefore found themselves embarking on arguably the most momentous stage of European integration since the Treaty of Rome while simultaneously dealing with two major crises, both of which seemed to cry out for unified Community response. The Presidency was thus inevitably distracted by the urgency of immediate events at the expense of formulating detailed, coherent proposals that would meet both the requirements of national governments and the aspirations of the EC.

The French and German governments once again provided the main impetus behind the formulation of a Common Foreign and Security Policy and the decision to eventually frame a common defence policy. Proof that what ever else had changed the case remained, as Etienne Davignon, a former EC Commissioner observed, that ‘Nothing happens in the Community without a Paris-Bonn agreement’ (*Time*, 22/4/1991). However, each member government offered a different perspective on the desirable substance and procedural nature of a CFSP, with rarely two governments sharing exactly the same aspirations. German Chancellor, Helmut Kohl and French President, Francois Mitterrand failed to agree on such issues as institutional framework and the future role of NATO and the United States. Moreover, all this had to be achieved within a time scale of less than two years, compared to the four years during which Economic and Monetary Union (EMU) was debated and developed.

A further element for consideration was the position of the United States. The US constituted a continual presence outside the EC through out the IGC, encouraging both caution and progress. Western Europe had relied upon the US for security for over forty years and would continue to do so for many years to come. However, as Europeans attempted to take more responsibility for the political and even, somewhat tentatively, military aspects of their own security, the future of the US commitment to Europe and NATO was a vital consideration, if more vital to some than others.

Internal pressures for political union pre-dated the collapse of Communism in Eastern Europe. The great imbalance between the Community's economic and political weight on the international stage was an age-old contradiction that both weakened the international weight of the EC and baffled governments outside the Community, while the distinction between external relations and foreign policy was itself difficult to maintain, as demonstrated by the Community's quick response to the collapse of Communism in Eastern Europe, through the provision of economic assistance. The decision to embark on EMU in 1988 also led the Germans, who found themselves paying for economic convergence while sacrificing the Deutschmark, to demand compensation in the political sphere. (Petersen 1993, p.15) The process of spillover could therefore be identified as producing some impetuous towards political integration. However, it was arguably the wider, systemic changes, wrought by the collapse of Communism and the reunification of Germany that proved decisive in leading the Community further towards political union (Laursen 1992, p.240). The nature of that union, particularly regarding CFSP, would be largely determined by the policy preferences of the member states and therefore shaped by their domestic economic and political interests (Moravcsik, 1999a).

The collapse of Communism in Eastern Europe had a twofold impact on the Community, propelling it towards a security role and disturbing the internal balance of member states. The removal of the traditional Soviet threat to security released Europe from the artificial divide of the 'Iron Curtain' and increased the likelihood of a substantial withdrawal of American troops and military hardware from the continent. The emerging democracies of Central and Eastern Europe subsequently turned towards the EC for political and economic support, as the Belgian government recognised in its memorandum of March 1990, the Community was 'generally thought' to have 'special responsibility' for 'seeking solutions to the problems of Central and Eastern Europe' (Belgium Memorandum, 19/3/1990, reproduced in Laursen & Vanhoonacker 1992, pp.269-275). This was illustrated by the decision of the Summit of the G7, meeting in Paris in July 1989, to request the EC to co-ordinate aid on behalf of the western industrialised nations (known as the G24), to Hungary and Poland. Thus the Community would require 'a capacity to take effective and consistent action,' (Belgium Memorandum, 19/3/1990, reproduced in Laursen & Vanhoonacker 1992, pp.269-275) *de facto* endowing it with a security role as 'Europe's 'anchor of stability.' (Petersen 1993, p.15) Secondly, the unforeseen collapse of the Berlin Wall brought the reality of German reunification on to the political agenda, for the first time since the late 1940s. The prospect of an enlarged and further empowered Germany caused concern throughout the Community, but particularly in France. President Mitterrand was alarmed at the speed and independence with which Chancellor Kohl executed the dream of every post-war German chancellor. The overriding aim of the French, therefore, was to anchor a united Germany firmly into a united Europe. This hardly marked a shift in French

policy but it did increase the urgency with which Mitterrand was willing to bend to the wishes of his German counter-part, who shared the desire to keep a reunified Germany embedded in a European political union (Martial 1992).

The first to react to the transformed security environment and its implications for the EC were the Community institutions themselves. Jacques Delors, President of the European Commission, aired the suggestion that an IGC on political union be established either as part of or in parallel to the one on EMU. In a speech in Bruges in October 1989, one month before the Berlin Wall fell, Delors told his audience, 'history is speeding up, and so must we' (*Agence Europe*, 19/10/1989). He suggested economic and political integration should be stepped up to include the formulation of a 'common strategy' and the inclusion of a security policy (*Agence Europe*, 18/1/1990, 23/2/1990). The European Parliament, in the two 'Martin Reports', also called for European Political Co-operation (EPC), which lay outside the legal framework of the EC, to be integrated with the rest of the Community, with the subsequent increase in powers for the Community institutions that this would imply ('Resolution on the Intergovernmental Conference in the Context of the Parliament's Strategy for European Union' *Official Journal* No.C96, 17/4/1990).

However, if the institutions took the initiative in suggesting reform, the real impetus for action came from the member states. The first governmental call for political integration came in the form of a memorandum from the highly federalist Belgian government on March 19th, 1990 (*sic*). However, the most important initiative inevitably came from the French and German governments, in a joint letter sent, on April 19th, to Irish Prime Minister Charles Haughey, who then held the Presidency of

the European Council. The Franco-German letter declared that; 'In the light of far reaching changes in Europe and in view of the completion of the single market and the realisation of economic and monetary union, we consider it necessary to accelerate the political construction of the Europe of the Twelve' (Kohl-Mitterrand Letter 19/4/1990, reproduced in Laursen & Vanhoonacker 1992, p.276). It therefore called for the convening of a second IGC, to run parallel to the one on EMU, to commence in December at the Rome Summit. This second IGC would deal essentially with four issues; reinforcing the democratic legitimacy of the Community; making Community institutions more effective; ensuring unity and cohesion in the economic, monetary and political spheres; and would 'define and implement a Common Foreign and Security Policy' (ibid.). The letter received an enthusiastic welcome from foreign ministers at a meeting, originally intended to discuss German reunification, at a special European Council meeting in Dublin a few days later. French Foreign Minister, Roland Dumas, and his German counter-part, Hans-Dietrich Genscher, summed up the general feeling at a press conference when they explained the need for a 'quantum leap' towards political union; 'In the light of what is happening in Europe the moment is particularly opportune to advance the Community in this direction.' (*Financial Times*, 23/4/1990). Chancellor Kohl also made explicit the connection between German and European integration; 'We are at present at a decisive break-through towards European unity. A dream is being realised, to see German unity and European unity being built together' (*Financial Times*, 26/4/1990).

The only cautionary messages came from the British Prime Minister Margaret Thatcher, who, clearly oblivious to the linkage, urged heads of state to concentrate

more upon practical issues such as German reunification, and less on 'esoteric' things (*Financial Times*, 20/4/1990). Perhaps more surprising was the cautious note sounded by Jacques Delors, who advised that; 'The Community's degree of maturity is not yet such that political union can be treated the same as monetary union' (*Financial Times*, 27/4/1990). Nevertheless the proposal for a second IGC was formally adopted at the Dublin Summit in June, although there was no substantive discussion of underlying issues. The difficulty remained, as Dumas had pointed out prior to the summit, that while, 'Everyone now agrees we now have to make a qualitative leap. No country is willing to give up sovereignty on foreign policy and security matters...'(*Financial Times*, 21/5/1990). Thus, external pressure on the traditional security concerns of the member states was to exert inexorable pressure for political integration, itself a logical extension of economic integration already underway with EMU.

Unfortunately for the debate on political union, within weeks of the Italian government taking over the presidency from the Irish, Iraq invaded Kuwait on August 2nd. The Community's initial response was swift and united. It adopted economic sanctions against Iraq before the United Nations Security Council; mobilised the Western European Union (WEU) to co-ordinate military missions in the Gulf; refused to close its embassies in Iraq; and through the decision to treat hostages as a matter of concern for the Community as a whole *de facto* introduced the principal of European citizenship. Most importantly, however, matters of defence and security were, contrary to the provisions of the SEA, discussed within the Community framework for the first time. Italian Foreign Minister, Gianni De Michelis, was in no doubt that the crisis in the Gulf provided the EC with an

‘exceptional chance to demonstrate unity’ (*Newsweek*, 17/9/1990). However, once the crisis moved from the economic-diplomatic to the military-diplomatic phase, the consensus soon began to crumble. EC ministers failed to agree to send financial assistance to the United States’ military effort, on the reasonable grounds that burden sharing entailed a share in decision making that the US was unwilling to concede. Agreement was, however, reached on a multi-billion dollar package of aid to those countries most affected by the embargo on Iraq, including Jordan, Egypt, Turkey and certain eastern and central European states. As for the deployment of the EC member states’ own military forces, the WEU was entrusted with the co-ordination of ‘overall operational concepts and specific guidelines for co-ordination between forces in the region, including areas of operation, sharing tasks, logistical support and exchange of intelligence’ (WEU Communiqué, *Financial Times*, 22/8/1990). This leadership role, however, failed to materialise, as each country sending troops preferred to deal directly and independently with the US.

British policy-makers instinctively turned towards the United States rather than their European partners. In September Britain sent six thousand combat troops to Saudi Arabia, without consulting the other eleven, and in direct contradiction with the EC’s policy of applying pressure on Saddam Hussein through an embargo. In November, whilst on a visit to Washington DC, Prime Minister John Major offered his full support to the US if Iraq did not withdraw from Kuwait before the UN imposed deadline of January 15th. When war broke out Britain had the second largest force in the region, after the US, under the command of American General Schwarzkopf. Throughout the crisis Britain supported the US in the UN and opposed any French initiative calculated to annoy America. ‘Thus in the final analysis, the British

government believed that its national interests could best be protected by aligning itself with the US at the expense of EC solidarity' (Wood, 1993 p.232)

The French government, contrary to much of its rhetoric, was also to pursue an independent line, losing interest in EPC mechanisms when it met with opposition to its various diplomatic efforts. Mitterrand's policy 'was guided by traditional Gaullist principles including the protection of French political and economic interests, independence from American policies, and a special role of interlocutor between the Arab world and the west to support French 'grandeur' and 'rank'. (Wood, 1992 p.44)

If faced with the choice of remaining actively involved in the developing crisis or accepting the leadership of the US, the necessity of remaining a key player in the Middle East meant Mitterrand was prepared to accept some degree of co-ordination with the Americans. Consequently when French troops were sent to the region, under 'Operation Daguet,' Mitterrand made it clear that they were under US tactical control only and that he alone issued direct orders. On the diplomatic front the French preferred the forum of the United Nations where they constantly managed to upset the British and American governments with their unilateral attempts to negotiate peace with Iraq based upon 'linkage' with a wider Middle Eastern settlement.

The German response failed to bode any better for the effectiveness of EPC. Shackled by its constitution, which forbade the use of German forces for 'defence purposes' outside the NATO area, and pacifist public and government opinion, Germany was preoccupied with reunification and consolidating its relations with Eastern Europe. On August 20th, Kohl announced that the German contribution

would be confined to monetary aid and logistical support. This did eventually include full use of naval and air bases, the dispatching of troops and aircraft to Turkey and billions of \$US to front line Arab countries, Britain and the US. Ultimately, however, German action or inaction undermined the cohesion of the EC and EPC as much as the independent policies of Britain and France. But Germany was in a no-win situation; as Karsten Voigt pointed out: 'The people who are now urging the Germans to participate in the Gulf are the same people who have been worrying about Germany's becoming a military power' (*Time*, 8/10/1990).

The Gulf War had a dual impact upon the debate on the future of a common foreign and security policy; it 'constituted a serious question mark for EC ambitions of a foreign and security policy, it also provided a rationale for strengthening co-operation' (Petersen, 1993 p.17). John Major, for example, claimed that the Gulf War demonstrated that as far as the development of CFSP was concerned, 'Europe is not ready and we should not be too ambitious when it comes to the intergovernmental conference on political union.' (*Financial Times*, 2/2/1991) Whereas Jacques Poos, Luxembourg's foreign minister, claimed that the lack of co-ordination in the Gulf demonstrated 'the absolute necessity of giving the EC a common foreign and security policy.' (ibid.) Jacques Delors agreed with Poos's analysis that the war had acted as a 'catalyst' out of which 'awareness of the need for a common policy only grew as the crisis unfolded.' (*Time*, 22/4/1991) The experience of the war also brought the idea of European defence to the fore, as it was recognised that a common foreign and security policy would be worthless without the means of implementation. As one senior French diplomat observed, 'Suddam Hussein has helped us to understand that Europe needs defence and not just a strong

balance of payments.' (*Financial Times*, 22/10/1990) Thus as the IGC on Political Union was formally convened in Rome in December there was a broad consensus on the need for a common foreign and security policy. However, the summit document itself was vague in its reference merely to orientations on security and defence policy, suggesting 'gradual extensions' of the Union's common security and considering a role in defence, with due regard for the Atlantic Alliance and the traditional stance of member states (European Council, Rome, Presidency Conclusions, 14-15/12/1990, reproduced in Laursen & Vanhoonacker 1992, pp. 318-321).

By the beginning of February 1991 the foreign ministers of the Twelve had agreed that the experiences of the Gulf War made the development of a common foreign and security policy more, not less, of an imperative. Even British Foreign Secretary, Douglas Hurd, acknowledged the 'need to go on towards a more effective common foreign policy.' He accepted in principle the idea of a common security policy, but cautioned against any attempt to 'catapult' the EC into defence where a consensus did not exist (*Financial Times*, 26/2/1991). Meanwhile, French and German ministers put forward a joint plan backed by the Commission and several other member states, proposing that the European Council should be given the authority to decide, by unanimity, what areas of foreign policy should be made common. Foreign ministers could then decide how to implement these decisions by majority vote. European defence co-ordination would be left initially to the WEU, to which nine of the Twelve belonged, and which would develop steadily closer links with the EC 'thus enabling the WEU, with a view to being part of Political Union in course, to progressively develop the European common security policy on behalf of the Union.'

(Franco-German Proposals on Political Union: Security policy co-operation in the framework of the common foreign and security policy of political Union, February 1991, reproduced in Laursen & Vanhoonacker 1992, pp.333-335).

This joint initiative, however, papered over some significant differences between the member states and, not least between France and Germany. Broadly speaking the debate centred around two issues: ‘(1) intergovernmentalism vs. the Community method, and, (2) Atlanticism vs. Europeanism.’ (Petersen, 1993 p.23)

	Intergovernmental	Federal
Atlanticist	Great Britain Portugal Denmark (Ireland) ²⁷	The Netherlands
European	France	Germany Belgium Luxembourg Spain Greece

Intergovernmental vs. Federal and Atlanticist vs. European positions on security among the Twelve leading to Maastricht.

The most conservative position combined the intergovernmental and Atlanticist positions, and was held most notably by Great Britain. While accepting the need for closer co-ordination of foreign policy the British government felt it unnecessary to move far beyond the existing intergovernmental mechanisms of EPC. Majority voting in foreign policy was considered an anathema, even to the limited extent

²⁷ As a neutral Ireland was not a member of NATO but in order to maintain its neutrality preferred the status quo, keeping defence out of the Community.

proposed by France and Germany; British policy-makers in particular remained sceptical about the practicality of the distinction between policy formulation and implementation (interview, FCO, 21/8/1997). For example, the decision to send troops to a conflict zone would be taken by majority, but would the decision to withdraw those troops then be a matter of policy or implementation? Britain also preferred the status quo in defence that meant maintaining the primacy of NATO. In a letter to the Italian Presidency in December 1990, Hurd accepted that the inevitable reduction in US military presence in Europe implied 'a greater European responsibility' for the defence. But, he also stressed that NATO remained 'a vital asset which the western democracies must not neglect...European security without the US simply does not make sense' (*Financial Times*, 11/12/1990). Portugal's position came close to the British, and for reasons of their own Denmark and Ireland also belonged to the more conservative group.

At the opposite end of the spectrum were those states preferring a more communitarian approach to foreign policy-making and the development of a distinct European defence identity, within the Atlantic Alliance. These states included the most pro-federalist states; Belgium, Luxembourg, Italy, Spain and Greece. Germany found itself torn between the two camps with its support of the US and NATO on the one hand and France and EC on the other²⁸. On the whole, however, Germany belonged to the pro-federal revisionist school. France and the Netherlands formed cross-categories of their own. For the French, the revolutions in Eastern Europe and the impending re-unification of Germany, threatened the very basis upon which the Fifth Republic had based its foreign and security policy; primarily the containment of

²⁸ For example, Van Wijnberg attributes the watering down of the Franco-German defence initiative at the NATO Summit in Rome, November 1991, to Chancellor Kohl's attempt to accommodate American concerns (Van Wijnberg 1992, p.52)

Germany and the development an intergovernmental, European defence identity. Mitterrand therefore continued France's traditional hostility to the American presence in Europe, anxious to see NATO replaced by a European alternative, while, in contrast to the other Europeanists, preferring a distinctly intergovernmental approach to decision-making, focusing on the primacy of the European Council in defining foreign and security policy (Martial 1992, pp.115-116). On the other hand the Dutch preferred the Community method where possible, wary of the power of the bigger states in the Council; but as strong supporters of the Atlantic Alliance, resisted any measure calculated to undermine NATO²⁹.

The first draft for the Treaty on Political Union was presented by the Luxembourg Presidency in the form of a 'non-paper' (*Agence Europe*, 3/5/1991). The draft opted for the so-called 'temple' structure that separated the intergovernmental CFSP and co-operation on Justice and Home Affairs, and the European Community into three distinct pillars, which together formed the European Union. It was on the whole 'a well-judged package deal which provided a firm framework for future negotiations and determined the shape and much of the content of the eventual Treaty' (Pryce, 1994 p.47). Britain, France and Denmark approved of this structure, although not necessarily the contents of the draft. But at least seven other states, supported by the Commission and the European Parliament were dissatisfied with the temple structure, fearing that the intergovernmentalism of CFSP and Justice and Home Affairs would spread to the Community, endangering the *aquis communautaire*.

²⁹ This was reflected in both of the Dutch Draft Treaties and also helped the Dutch Prime Minister, Ruud Lubbers, mediate between federalist and Atlanticist countries (particularly Britain). (Laursen 1992, p.244)

The second Luxembourg draft presented in mid-June made a number of concessions to the majority view (*sic*). The three-pillared structure was retained but in the preamble it affirmed that; 'The union shall be served by a single institutional framework which shall ensure...consistency and continuity.' It also referred to 'a process leading gradually to a union with a federal goal,' including 'the eventual framing of a defence policy.' (Draft Treaty on the Union from the Luxembourg Presidency, reproduced in Laursen & Vanhoonacker 1992, pp.358-406). Both these suggestions outraged the British government, who were dissatisfied with the provision to review the status of the WEU in 1996 and the proposed introduction of limited qualified majority voting (QMV) in foreign and security policy. However, a clash was avoided at the ensuing Summit in Luxembourg, as other government leaders, particularly Chancellor Kohl, were reluctant to add to John Major's domestic difficulties, in the hope that a breathing space would allow the British to adopt a more positive stance (interview, FCO, 21/8/1997). The end result, one British minister admitted, 'pointed in the right direction' (interview, 9/10/1997). Overall, however, ministers had found themselves more concerned with dealing with the deteriorating situation in Yugoslavia (*Agence Europe*, 1/8/1991). Consequently no agreement on political union was reached at Luxembourg causing the Dutch Prime Minister, Ruud Lubbers, on the eve of his own presidency to remark; 'I leave Luxembourg with the feeling that it will be difficult to get an agreement at Maastricht' (*The Economist*, 1/7/1991)

Unfortunately for Lubbers and his team the new security order in Europe was already proving far from secure. The prospects of an agreement were thus to become further complicated from mid-1991 as the disintegration of Yugoslavia led to the outbreak of

a bloody civil war, right on the EC's door step. Initially the crisis appeared to present the perfect opportunity for the EC to make amends for its poor showing in the Gulf. This was a European problem for which there was surely a European solution. The initial response of the Twelve was to use traditional EC economic measures, threatening to suspend its financial protocol and association agreement with the Federal government unless the fighting stopped. When this strategy failed to have any affect the Heads of Government decided at the Luxembourg Summit not to recognise Croatia and Slovenia's declarations of independence and despatched a 'troika' of foreign ministers from Italy, Luxembourg and the Netherlands to discuss a peace settlement. The objective was clear, as John Major explained; 'the first prize is to keep the Yugoslav federation together' (*Financial Times*, 29/6/1991).

Initially, the diplomatic mission, its task to ensure a united Yugoslavia, democratic reforms and an immediate ban on the use of force, appeared to meet with success, when, on June 30th, the warring sides agreed to cease-fire and a three month suspension of the declarations of independence. Jacques Poos was inspired to declare: 'This is the hour of Europe, not the Americans'. If the Yugoslavs want to enter the Europe of the twentieth century, they have to follow our advice.' (*Financial Times*, 1/7/1991) Unfortunately the Yugoslavs themselves were less convinced and the cease-fire soon broke down. Nevertheless, two diplomatic missions later and following the introduction of an EC arms embargo on the whole of Yugoslavia and the suspension of the financial protocols, all sides did agree to sign a joint declaration, on the island of Brioni, on July 7th. Under the terms of the Brioni accord all participants reaffirmed their commitment to the EC's proposals of June 30th and agreed that a fifty-member EC observer mission, as requested by the CSCE, would

be sent to monitor the cease-fire in Slovenia and possibly Croatia. The troika had succeeded in its mission - fighting had stopped in Slovenia, thanks also to the military successes of the Slovenians themselves, and a breathing space had been won in which to prepare for a peace conference. (Nuttall, 1994 p.15) However, no progress had been made in finding a lasting solution acceptable to all sides. The EC's continued commitment to the retention of a single Yugoslav federation effectively gave the Serbs a blank cheque, an impression reinforced by the blanket application of the arms embargo that inevitably favoured the Serbs who had access to the Yugoslav army's resources. The inability to find a viable solution led to 'a deepening of the crisis and the slow breakdown of European consensus on the Yugoslav issue.' (Wood, 1993 p.234)

Germany, supported by France and Italy, was keen to build upon Brioni with the convening of a peace conference as soon as possible. Britain and the Netherlands were more cautious, preferring to wait until a cease-fire had been fully implemented. However, under German pressure and after much frantic diplomacy on the part of the Dutch, another cease-fire was brokered between the Serbs and Croats at the end of August. A conference was called at The Hague on September 7th, under the chairmanship of Lord Carrington. The conference team was to remain in place after the alternation of the EC presidency, thus allowing for a degree of continuity that EPC initiatives had previously lacked. Unfortunately it was not to succeed in bringing peace to Yugoslavia because, as Simon Nuttall explains, the conference relied upon the will of the Yugoslavs themselves to reach a settlement, a will patently lacking as the immediate breaches of cease-fires demonstrated (Nuttall 1994, p.16).

The next intra-Community conflict arose over the question of military intervention. In July the French and Italians had called for the WEU to consider sending a military force to reinforce the observer missions in implementing a cease-fire. Germany supported the proposals, although no German troops could actually be assigned to any task force. Britain, Spain and Greece opposed the plan. A WEU meeting on August 7th therefore agreed merely to 'continue its reflections.' (Wood 1993, p.235) In September the Dutch made similar proposals, which were discussed at consecutive meetings of the EC and WEU councils. The plan failed to gain unanimous approval, a prerequisite recognised even by the French, and in November the UN Security Council was asked to provide a peacekeeping force for the region (Nuttall, 1994 p.23).

The EC lacked two essential resources when it came to dispatching troops - a military force to send and the will to send it. Of the two the latter was decisive (ibid. p.22). The EC would have to develop a common or even single foreign policy before it could contemplate extending its competence into the defence aspects of security. Instead of reviving the EC's international reputation after the debacle of the Gulf War, the EC's failure to formulate a solution to a European problem served only to highlight the dilemma faced by what Belgian Foreign Minister, Mark Eyskens, described as 'an economic giant, a political pygmy and a military lva.' (*Time*, 22/4/1991) Recognised by the outside world as possessing the weight through its economic might to become involved in negotiations but lacking any central, defining authority the Community was incapable of designing and implementing a specific strategy beyond the broad desire for peace. Nevertheless an important precedent had been set; that of the Community acting independently to intervene politically and

diplomatically within its immediate sphere (Holland, 1994 p.136). As was the case with the Gulf War, the Yugoslavian experience 'increased the caution with which enthusiasts for CFSP approached the Maastricht Treaty and persuaded Atlanticists that greater attention to European alternatives was a necessary precaution' (Menon *et al.* 1992, p.114)

Meanwhile, the Dutch Presidency also had to contend with the on going IGCs. In an ill conceived move the Dutch, principally under the instigation of their ministerial negotiator, Piet Dankert, took the opportunity to produce their own federalist non-paper radically altering the Luxembourg draft³⁰. The three pillars were abandoned in favour of a structure encompassing both CFSP and Justice and Home Affairs within a single Community structure, with increased powers for the European Parliament and Commission. Those areas of foreign policy upon which the member states agreed to act jointly would therefore be subject to QMV and the Commission given the 'joint' right of initiative, as opposed to the exclusive right of initiative it enjoyed in other Community policy-making. On the issue of defence the Atlanticist Dutch dropped references to the WEU's eventual submersion into a European union, referring instead to 'the eventual framing of a defence policy' to be examined by 1996, and remaining complementary to the 'North Atlantic Treaty Organisation and the Western European Union, which will continue to contribute in a significant

³⁰ According to one British official the Dankert Draft seriously jeopardised the prospects of agreement at Maastricht: 'When the Dutch took over nothing happened for a long time, no meetings, no discussions, no progress. Then in September we began to hear the reason for this which was that the Dutch were working on a different unitary text, which they were talking to the Germans about but nobody else. They presented this draft, despite the warning signals that this would not be an appropriate basis with which to take negotiations forward. They presented it in late December and almost everyone ganged up on them...with a great deal of obvious reluctance they eventually dropped it' (interview, FCO, 21/8/1997).

fashion to security and stability' (The External Relations Part of the First Dutch Draft Treaty, 30/9/1991, reproduced in Laursen & Vanhoonacker 1992, pp. 407-412).

The result was a complete breakdown in negotiations. Britain, France, Denmark and Portugal found the lumping together of everything into one Community abhorrent. France, together with Germany, Spain, Italy and Belgium, disliked the proposal's feebleness on defence (*The Economist*, 21/9/1991). In the end, following Germany's decampment to the French position, only Belgium supported the Dutch draft. With just ten weeks remaining before an agreement would have to be reached at Maastricht, the Dutch were forced to swallow their pride and, on September 30th, withdrew their draft. Negotiators therefore returned their attentions to the Luxembourg draft for which there was now considerably more enthusiasm than there had been in June!

The debate on foreign policy continued to revolve around the desirability and extent of the application of QMV. The British persisted in their argument that foreign policy represented a unique area of policy-making, in which states' national interests were inexorably linked and could not therefore be compromised. However, despite reservations on the applicability of a distinction between policy formation and implementation, the British proved ultimately amenable on this issue, in return for the removal of any reference to the Community's 'federal goal' from the treaty preamble.

In the final stages of negotiations the defence debate focused on two bilateral declarations, one from Britain and Italy, the other, somewhat inevitably, from France

and Germany. On October 5th Britain and Italy presented their initiative in which Britain explicitly recognised for the first time that ‘political union implies the gradual elaboration and implementation of a common foreign policy and a stronger European defence identity, with the longer term perspective of a common defence policy...’ However, this would remain, at all times ‘...compatible with the common defence policy we already have with our allies in NATO.’ The WEU would fulfil the dual task of providing the ‘defence component’ of the EC, which it had assumed *de facto* during the Yugoslav crisis, and ‘the means to strengthen the European pillar of the Alliance.’ It would be not, therefore, be subordinate to either organisation, but would take action based upon the decisions of both the European and North Atlantic councils and work towards ‘intensified coordination’ and complementarity of decision-making processes, thus providing a bridge between NATO and the European Union. A European Rapid Reaction Force was proposed, which would be able to undertake military operations, such as peacekeeping, outside the NATO area and employing autonomous planning and political control; there would, therefore, be no duplication of, or competition with, NATO. Indeed NATO was to remain ‘the key component in the development of a system of security including the whole of Europe’ (An Anglo-Italian Declaration on European Security and Defence, 5/10/1991, reproduced in Laursen & Vanhoonacker 1992, pp.413-414)³¹

³¹ While consistent with the British approach to European defence, this joint initiative was in sharp contrast to an earlier Italian proposal that had asserted the need to ‘extend the competences of the Union to all aspects of security without limitations.’ Consequently, the ‘proposal to transfer the competences presently being exercised by WEU would in this respect only be a logical consequence of the decision to realise a qualitative improvement in the process of European integration.’ (Italian Proposal on Common Foreign and Security Policy, 18/9/1990, reproduced in Laursen & Vanhoonacker 1992, p.292). One possible explanation for this apparent change in orientation is provided by a former British Foreign Office minister who suggests that Douglas Hurd approached Gianni De Michelis with the idea of presenting the French and Germans with a counter-proposal, thus providing the Italians the kind of major policy initiative which they sought in order to assert themselves as one of the key big players in Europe (interview, 9/10/1997). From the perspective of the Italian government, therefore, it would appear that jostling for position in intra-community politics took precedence over issue-specific interests.

Not to be out done the French and German governments issued their own set of proposals in a letter to the Dutch Presidency. In contrast to the Anglo-Italian declaration, this text identified the formation of a common defence as among the ambitions of the European Union. The WEU, which forms 'an integral part of the process of European union,' would therefore be strengthened as 'a full partner in the process of European unification, whose goal is union.' As a result it would be necessary to for the EU to 'assume increasing responsibility in the area of defence, through the 'step-by-step building of the WEU as a component of the Union's defence.' The implication was that a common defence policy would eventually be elaborated in the EC's institutions rather than in NATO. Moreover, the existing Franco-German brigade was to be expanded with the addition of troops from other WEU member states to become 'the model for closer military co-operation between the WEU member states.' (Franco-German Initiative on Foreign Security and Defence Policy, 11/10/1991, reproduced in Laursen & Vanhoonacker 1992, pp.415-418) This new 'Europe-corps,' or embryonic European army (Menon et al 1992, p.110), would be operational within, as well as outside, the NATO area, thereby potentially duplicating NATO's role and symbolising French ambitions to build a European defence completely unencumbered by any American interference. The Germans, however, were at pains to assure that these plans would in fact 'complement rather than compete with NATO' by bringing the French closer to the Atlantic Alliance (*The Daily Telegraph*, 17/10/1991).

German caution was indicative of the dilemma Germany faced in simultaneously promoting its European ambitions, in alliance with the French, while remaining fully

committed to NATO and its important relationship with the United States. The main conflict over defence integration therefore focused around Britain and France and their very different perceptions of the American presence in Europe. Douglas Hurd had no doubt that, 'when all is considered and debated, the best, cheapest and safest way to organise European defence is close alliance with the United States' (*The Daily Telegraph*, 6/11/1991). Indeed the importance of the United States in the formulation of any future European security arrangement, made it 'an active external player throughout the IGC, across the whole of the foreign and security policy dossier.' The success of the parallel negotiations taking place within NATO to design the New Strategic Concept also, therefore, became 'a precondition for successful agreement among the twelve' (Forster & Wallace, 1996 p.422). This was reflected in the communiqué on defence, issued at the Luxembourg Summit, which outlined the immediate task of the IGC as to work out 'common guidelines' for the NATO summit in November, before it could decide how to strengthen the EC's 'defence identity.' (*Financial Times*, 1/7/1991)

The American government had always supported the principle of Europeans taking more responsibility for their own security, providing NATO remained unchallenged. In December 1990, William H. Taft, US Ambassador to NATO, issued a stern warning to Europeans: 'The US public won't understand any proposal to replace NATO with a different mechanism to undertake its fundamental role of deterrence and defense' (*Wall Street Journal*, 18/10/1991). It was a warning Europe could not afford to ignore. In the first place American withdrawal from Europe would require Europeans to shoulder the full cost of their own defence, something they had traditionally been reluctant to do (Allen & Smith, 1991). Moreover, the European

allies lacked the military technology and hardware necessary for independence from the US. As Dominique Moisi observed, 'Europeans are independent in economic terms but not yet autonomous as far as security is concerned' (*Time*, 8/10/1990). However, as the debate within the Community progressed US policy-makers, witnessing the continued collapse of the Soviet Union and Warsaw Pact combined with domestic pressure to cut defence spending, began to look more favourably on the European proposals. As one US official observed, in October 1991; 'At first we saw competition between NATO and the EC. But the more we've looked at it recently, the more we've seen the complementary nature of the two' (*Wall Street Journal*, 18/10/1991)

However, tensions remained. The US viewed with suspicion the Franco-German plan for a Euro-corps, wary that it was intended to supplant, rather than complement NATO, preferring instead the Anglo-Italian proposal of a European Rapid Reaction Force. Some sharp exchanges ensued at the NATO summit on the 7th-8th November, with US President George Bush at one point challenging Europeans to tell him there and then if they wished the Americans to leave Europe (*Newsweek*, 9/12/1991). Nevertheless an agreement was reached in which a distinctive European defence identity was recognised within the context of NATO's primacy:

'The strengthening of the security dimension in the process of European integration, and the enhancement of the role and responsibilities of the European members of the Alliance are positive and mutually reinforcing. The development of a European security identity and defence role, reflected in the strengthening of the European pillar within the Alliance, will not only serve the interests of the European states but also reinforces the integrity and effectiveness of the Alliance as a whole' (New Strategic Concept, para.3)

The WEU was to fulfil the role envisaged for it by the Anglo-Italian plan, forming both 'the defence component of the process of European unification' and providing

‘a means of strengthening the European pillar of the Alliance’ (Rome Declaration on Peace and Co-operation, para.7). Meanwhile, NATO would continue as ‘the essential forum for consultation among the Allies and the forum for agreement on policies bearing on the security and defence commitments of its members under the Washington Treaty’ (New Strategic Concept, para.22). President Bush left Rome having declared; ‘European’s long-term security is intertwined with America’s, and NATO remains the best means to assure it’ (*Wall Street Journal*, 7/11/1991)

Following on from the NATO summit Britain and France found themselves capable of moving slightly closer to agreement. At a meeting of foreign ministers in Brussels at the beginning of December, Douglas Hurd agreed to allow ministers to decide, by unanimity, to act together on certain foreign policy issues which once agreed would be binding on member governments. However he refused to agree to the inclusion in the treaty of a list of subjects on which common policies would be obligatory, and continued to reject QMV on the implementation of common policies. On defence, Hurd accepted that the WEU ‘should be an integral part of the development of the European Union,’ providing a declaration clarifying the WEU’s role was attached to the treaty at Maastricht. The British could not accept the French desire to ‘subordinate’ the WEU to the Community that they feared constituted an attempt to undermine NATO. Mr. Dumas indicated that France could accept a closer relationship between NATO and the WEU but remained suspicious of British opposition to their plans for a Franco-German army. Finally ministers spent five hours debating the wording of the Treaty; France and Germany wanted the goal of ‘a common defence,’ while Britain would only accept ‘common defence policies’ (*The Economist*, 7/12/1991).

Despite the many differences, when the heads of state and government met at Maastricht, there was very little discussion of the substantive issues surrounding CFSP, as the participants found themselves concerned with the more contentious issues surrounding EMU and social policy. Policy over-load was not a new phenomenon but in 1990 and 1991 its level had been unprecedented. The Twelve found themselves embarking on a reactive common foreign and security policy before they were able to discuss its consequences. It was unfortunate that as the EC tried to adapt itself to a new world 'order' the old order continued to collapse, bringing great uncertainty in the Soviet Union and war in Yugoslavia; a task fraught with all the dangers of 'changing an axle on a moving train.' (Howe, 1996 p.23)

That the EC failed to co-ordinate a solution to the Yugoslav crisis was not entirely due to its own weaknesses, indeed the failure of European foreign policy could be attributed as much to the failings of the member states themselves, who came up with divergent policies that no institutional structure would have been able to resolve (interview, FCO, 21/8/1997). In the interests of Community solidarity the Twelve mistakenly pursued the maintenance of the Yugoslav federation, which served largely to strengthen the position of the Serbs and put Germany in conflict with the majority view over the recognition of the breakaway republics. But if the various Yugoslav nationalities themselves were unwilling to reach a settlement, as events seemed to suggest, it is doubtful that a more forceful European response would have produced a more positive result. In the Gulf War the EC had simply found itself out of its depth, causing member states to retreat to their familiar national stances. The negotiations leading to the summit at Maastricht inevitably suffered. The proper discussion and resolution of national differences was severely hampered by ongoing

international crises that demonstrated both the need for and the obstacles to developing common policy. By the time Heads of State and Government met at Maastricht the overriding aim was to reach an agreement, almost irrespective of what that agreement might actually produce.

Maastricht Provisions on the Common Foreign & Security Policy³²

The Treaty on European Union, signed at Maastricht on 7th February 1992, boldly proclaims that the newly established European Union intends 'to assert its identity on the international scene, in particular through the implementation of a common foreign and security policy including the eventual framing of a common defence policy, which in time might lead to a common defence.' (Article B) Such bold treaty language could be interpreted as reflecting the supersedence of the state as the focus for security in Europe and the shift of emphasis on security wrought by globalisation and the end of the Cold War. Inevitably, however, given the vociferous nature of the debate prior to Maastricht, the provisions of Title V of the Treaty, which form the second pillar of the Union, provide a compromise between the intergovernmentalists and the more federally minded member states. Consequently, the federalists were able to point to the increased role for the Commission, the introduction of qualified majority voting (QMV), and the addition of defence into the treaties. Meanwhile the intergovernmentalists stressed the continuing primacy of the Council and Presidency, the very limited nature of QMV, and the explicit commitment to the maintenance of NATO as the primary organisation for European defence. The political compromise involved inevitably coloured the nature of the resulting common policies. The Maastricht formula remains far short of the single foreign and security policy that a

³² See Appendix A for TEU Provisions for CFSP.

federal union requires. Whether the Common Foreign and Security Policy (CFSP) represents a step in the direction of federation, or marks the beginning of the end of post-World War Two attempts build a United States of Europe remains to be proven.

With CFSP established, its objectives are set out in Article J.1 to cover 'all areas of foreign and security policy.' This represents a qualitative leap beyond the former EPC that limited itself to the political and economic aspects of security. Its objectives are broadly defined, concerning traditional 'national' security interests and as such contain no surprises:

- to safeguard the common values, fundamental interests and independence of the Union;
- to strengthen the security of the Union and its Member States in all ways;
- to preserve peace and security, in accordance with the principles of the United Nations Charter as well as the principles of the Helsinki Final Act and the Paris Charter;
- to promote international co-operation;
- to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms.

Clearly, there could not be any 'disagreement about such anodyne 'motherhood and apple pie' aims.' (Cameron 1999, p.25)

These objectives are to be fulfilled through traditional co-operation between the member states and joint actions in areas of common interest. As under EPC, member states are 'to support the Union's external and security policy actively and

unreservedly in a spirit of loyalty and mutual solidarity' while refraining from 'any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations.' It is the responsibility of the Council to ensure that these principles are adhered to (Article J.1 (4)). Member states are also required to support common positions and co-ordinate their action in international organisations (Article J.2 (3)). Member states who belong to organisations to which not all EU states belong, are obliged to keep the other states fully informed of any matters of common interest and uphold the interests of the Union. This includes members of the United Nations Security Council and the permanent members of the Security Council, providing this does not conflict with the provisions of the UN Charter (Article J.5 (4)).

The common position differs little from its EPC predecessor, whereby the Council defines a common position which member states must then conform to in their national policies (Article J.2 (2)). However, it is the joint action which provides the 'most notable shift from a purely intergovernmental form of improved political co-operation to an approach commensurate with an embryonic 'communautarized' common foreign policy,' (Holland 1994, p.127). Exactly what constitutes a joint action is nowhere defined, but its adoption is a complicated procedure. The Council decides, following general guidelines from the European Council, the scope, objectives, duration and means of implementation for a joint action (Article J.3 (1)). Having decided to act the Council may then decide unanimously to apply qualified majority voting 'when adopting the joint action and at any stage during its development' (Article J.3 (2)). While superficially appearing to facilitate decision-making, the true benefits of such a device to avoid the pit-falls of unanimity are

unclear, as a state is unlikely to vote in favour of being outvoted on a matter of any great significance. Indeed it is arguable that Declaration 27, attached to the TEU, agreeing that member states will 'avoid preventing a unanimous decision where a qualified majority exists in favour of that decision,' combined with peer pressure could prove more effective in forcing through a decision (Duff et al. 1994, p.96). A further deterrent against agreement is the commitment of member states to a joint action once it is agreed. Amendments can only be made following a change of circumstances which have a 'substantial effect' on a joint action, which is then reviewed by the Council; if the Council has not acted the joint action remains (Article J.3 (3)). States therefore have to be very sure about a joint action before they commit themselves (Lodge 1993, p.246). If a state does decide to take unilateral action it must first consult with the Council (Article J.3 (5)), although an escape clause does, inevitably, exist whereby a member state may claim a case of 'imperative urgency', of which it must merely inform the Council (Article J.3 (6)). Moreover, should a member state face any major difficulties in implementing a joint action it can, in consultation with the Council, exclude itself providing such action does not 'run counter to the objectives of the joint action or impair its effectiveness,' (Article J.3 (7)).

Debate as to what issues would be appropriate for joint action began in the autumn of 1990, under the Italian presidency. However, agreement over an initial list – the 'Asolo list' – proved illusive and the decision was left to the Lisbon European Council in June 1992. The subsequent report to the European Council merely set out the objectives of joint action as applicable to a limited number of geographical areas close to the EU's borders (i.e. Eastern Europe, in particular the Commonwealth

of Independent States and the Balkans, the Mediterranean, in particular the Maghreb, and the Middle East); and the 'domains within the security dimension' which could be objects of joint action, namely; the CSCE process; disarmament and arms control in Europe; nuclear non-proliferation issues; economic aspects of security. Ironically the Lisbon meeting was almost overshadowed by an example of independent foreign policy, made with little regard for Community solidarity, with the personal bid of President Mitterrand to 'do something' about Yugoslavia with a trip to Sarajevo, without consulting his fellow summiteers (*Financial Times*, 29/6/1992).

The provisions for joint action, therefore, provide the mechanisms, though not the substance, for a potentially more pro-active approach to the execution of a common foreign policy, if the member states so wish. However, the exclusive role of the Council, and hence member states, continues to provide a break on agreement upon all but the least controversial of actions. Uncontroversial does not necessarily mean unworthy, but the very nature of foreign policy requires a single, easily identifiable centre of authority, with which relations can be conducted³³. Confusion for third parties also remains; the European Union has a common foreign policy but it does not extend to the full panoply of international issues. Moreover, not all its member states' foreign policy is common, indeed individual member states' policies continue to conflict on significant issues. This was swiftly demonstrated less than a week after the Maastricht European Council, when Germany decided to unilaterally recognise the breakaway Yugoslav republic of Croatia. Following a heated debate in the Council of Ministers a compromise was reached whereby recognition would

³³ A condition not necessarily provided by federation (see Hocking, 1993)

be granted on fulfilment of certain criteria. The subsequent Badinter report suggested that Croatia did not fulfil the criteria, but 'German determination prevailed and in the name of Community solidarity all member states recognised Slovenia and Croatia on 16 January 1992' (Welsh 1996, p.122). As the Dutch Secretary of State for Foreign Affairs observed, it was 'a very unhappy beginning,' for a common foreign and security policy (*Financial Times*, 16/1/1992). But it was not just the mighty Germany that could dictate Community policy, Greece managed to hold up recognition of the Former Yugoslav Republic of Macedonia for over a year, on the grounds that the name 'Macedonia' implied a claim on Greek territory.

Beyond the commitment to support the Union's external policy, therefore, Maastricht fails to either 'prevent or significantly discourage' unilateral action by member states (Lodge 1993, p.247). To do otherwise would be to deny member states of a significant, even fatal, degree of their sovereignty. That CFSP is a significant development beyond the European Political Co-operation (EPC) enshrined, in the Single European Act (SEA), is subtly indicated by its reference to 'the Union and its Member States', as opposed to the 'High Contracting Parties' of Title III of the SEA. This implies that the said Member States were willing to accept some loss of sovereignty in foreign and security policy in 1991, which they were not prepared to do in 1985 (Lodge 1993, p.244). However, it remains the Union **and** its Member States, which shall 'define and implement a common foreign and security policy,' (Article J.1 (1)), a clear indication that foreign and security policy retains its predominantly, though no longer exclusively, intergovernmental nature (Salmon 1993, p.264).

The division of labour amongst the Union's institutions also illustrates the balance between intergovernmentalism and supranationalism. The Council of Ministers is the foremost institution. Following the 'principles and general guidelines' defined by the European Council (Article J.8 (1)), the Council is responsible for 'defining and implementing' CFSP and ensuring 'the unity, consistency and effectiveness of action by the Union.' (Article J.8 (2))³⁴. It must also ensure that member states respect the interests of the Union in the conduct of their international affairs (Article J.1 (4)) thus providing a self regulating authority for the member states.

Essentially the Council provides the forum for discussion and decision-making among member states when adopting common positions and joint actions. It acts unanimously, except as provided for under the mechanisms for adopting a joint action or for 'procedural questions' (Article J.8 (2)). The persistence of the consensus principle had frequently been held responsible for the policy sclerosis of EPC (Holland 1994, p.125). Nevertheless, the limited introduction of QMV into CFSP had been a major source of controversy in the IGC leading to the TEU. The Maastricht solution consequently fell short of a complete abandonment of consensus, limiting the use of QMV to second order decisions. Consequently, consensus would be retained to decide on the scope and content of common policy while the implementation of agreed common policy would be decided by majority. Voting then takes place in accordance with the system of weighed voting set out in Article 148.2 of the Treaty of Rome³⁵. Exactly what constitutes a 'procedural' question,

³⁴ It shares responsibility with the Commission for ensuring the consistency of the Union's external activities as a whole in the context of its external relations, security, economic and development policies. (Article C)

³⁵ Following the accession to the Union of Austria, Finland and Sweden on January 1st 1995, the qualified majority necessary for adoption requires at least 62 votes in favour, cast by at least 10 members.

however, is not made explicit; for example the decision to send monitors to a crisis area would be a matter of policy, to be decided unanimously; but it is unclear whether the decision to withdraw would constitute a procedural question, settled by QMV or if it would amount to an entirely new policy. Article J.3 (3) refers to a change of circumstances leading to a review of joint actions in the Council, but it does not specify under which voting procedure such a review would fall. Presumably it would depend upon the extent to which a change in circumstances had effected the predetermined course of action, whether such action would need to be modified or completely redefined. This undoubtedly remains a grey area that requires clarification before CFSP can claim the full confidence of its members and respect from those towards whom it is applied. Nevertheless, the mere introduction of QMV into the realm of foreign policy undoubtedly enhances the '*communautaire* nature' of CFSP (Holland 1994, p.126). Whether it will make it more effective is a different issue. Nevertheless federalists are able, therefore, to claim progress, while the intergovernmentalist can point to a relatively limited encroachment on the primacy of the member states in foreign policy decision-making.

The Presidency of the Council is given the task of representing the Union on the international arena, and implementing common measures (Article J.5 (1,2)). It is assisted in this task by the previous and next member states that hold the Presidency thus lending legal recognition to the long-standing troika arrangement under EPC. The Commission is 'fully associated in these tasks' (Article J.5 (4)), a rather disappointing result for the Commission which had held ambitions of representing the Union itself, building upon its experience and assets developed through its conduct of trade policy (Duff et al. 1994, p.94-5). Nevertheless, the Commission

provides the consistency that the rotating Presidency lacks and, therefore, becomes essential for operational reasons (Lodge 1993, p.244). The Commission also gains the right, along with member states, to refer questions and submit proposals to the Council (Article J.8 (3). This is not the exclusive right of initiative that the Commission enjoys throughout the Community pillar but it does give the Commission significant potential to influence CFSP, in addition to providing a greater degree of forward planning towards the definition of common interests (Duff et al. 1994, p.101). In response to its legally expanded role the Commission decided, at the end of 1992, to reallocate its portfolios, in order to lend greater consistency to its international affairs, giving three commissioners responsibility for external relations – one responsible for political external relations, with responsibility for economic external relations divided between the developed and developing world (Duff et al. 1995, p.95)

The European Parliament gains rather less. The Presidency is to consult Parliament on the 'main aspects and the basic choices' of CFSP, ensuring that its views are 'duly taken into consideration'. The Presidency and the Commission are also to keep the EP regularly informed of the development of CFSP. Thus while given the potential to become involved in CFSP, providing the Presidency and Commission fulfil their obligations, the EP lacks the ability shape policy (Holland 1994, p.128). Nevertheless, this does present the EP with greater powers than most national parliaments have over national foreign policy, for such is the nature of foreign and security policy that it is only reluctantly subjected to democratic control.

Unequivocally, the most significant advance in the TEU is the inclusion of defence as a sphere of activity for the EU. Article J.4 states, somewhat tentatively, that: 'The common foreign and security policy shall include all questions related to the security of the Union, including the eventual framing of a common defence policy, which in time might lead to a common defence.' To this end the Western European Union (WEU) is recognised as constituting 'an integral part of the development of the Union,' which the Union will 'request' (not instruct, as the French would have preferred) to 'elaborate and implement decisions and actions of the Union which have defence implications'³⁶. Theoretically, this link with the WEU 'is perhaps the most significant advance over EPC, giving the EU access to military force to back up its policy decisions.' (Krupnick 1996, p.145) Although in reality the WEU's military capabilities are limited. Moreover, nothing is to infringe upon 'the specific character of the security and defence policy of certain Member States' (e.g. Ireland's neutrality, Britain's and France's nuclear and Security Council rolls) or the obligations of NATO members, as it is 'compatible with the common security and defence policy established within that framework.' (Article J.4 (4)). Member states also remain free to co-operate either bilaterally, within the WEU or NATO, 'provided such co-operation does not run counter to or impede that provided for in this Title.' (Article J.4 (5)). No issue with defence implications will be subjected to QMV (Article J.4 (3)).

Concomitantly, the then nine members of the WEU, all of whom were also members of the EC, agreed a 'Declaration on the Role of the Western European Union and its

³⁶ The Commission remains 'fully associated' with this section but it is unclear how its responsibilities relate to those of the WEU.

Relations with the European Union and with the Atlantic Alliance.'³⁷ In this they agreed on 'the need to develop a genuine European security and defence identity and a greater European responsibility on defence matters.' Consequently, the commitment to a future common defence policy, compatible to NATO, is reiterated. A dual role for the WEU is identified as not only the 'defence component of the European Union,' but also as 'a means to strengthen the European pillar of the Atlantic Alliance.' Indeed, throughout the declaration mention of a common defence or defence component is matched by references to NATO (Duff et al. 1994, p.91).

In order to build the WEU as the defence component of the EU, it was proposed that the duration and sequence of the respective presidencies be harmonised, WEU/EU meetings synchronised, and closer co-operation established between the Council of the Union and its General Secretariat, and the Council and Secretariat-General of the WEU which would move from London to Brussels. Meanwhile, similar arrangements with NATO would serve to 'develop the WEU as a means to strengthen the European pillar of the Atlantic Alliance.' 'Transparency' and 'complementarity' are therefore maintained between the emerging ESDI and the Atlantic Alliance. The WEU also commits itself to 'act in conformity with the positions adopted in the Atlantic Alliance,' creating the potential for conflict of interests between conformity to NATO and elaborating and implementing the decisions and actions of the EU.

To enhance the WEU's operational capacity it was agreed to establish a WEU planning cell; closer co-operation with NATO in logistics, training and surveillance; meetings of Chiefs of Defence Staff; and military units answerable to WEU. It was

³⁷ See Appendix B.

also decided to examine increased co-operation in the field of armaments with the aim of creating a European armaments agency. All these arrangements are designed, inevitably, to be 'fully compatible with the military dispositions necessary to ensure the collective defence of all Allies.' (Declaration on the Western European Union, TEU)

In a further declaration the members of the WEU invited the three non-WEU EU states (Denmark, Greece and Ireland) to either join or become observers, and for the non-EU European members of NATO (Iceland, Norway and Turkey) to become associate members of the WEU. The distinction between full and associate membership marks a clear distinction between EU and NATO member states, suggestive of an implicit recognition of the importance of WEU as defence arm of the EU, over and above its role as European pillar of NATO. However, the provisions of both Article J.4 and the Declarations fail to resolve satisfactorily the 'Atlantic European defence' versus the 'European European defence' debate (Salmon 1993, p266). Consequently protagonists of both schools were able to claim the ascendancy of their approach, a dichotomy extended to academic analysis (e.g. for the Atlanticists - Welsh 1996 p.136; for the Europeanists - Dinan 1994, p.472). This was inevitable, as the wording had to be 'carefully crafted to maximise agreement among the twelve negotiating governments.' The unfortunate repercussion of such compromise is 'ambiguous language, which promises much, but immediately delivers little' (Menon et al. 1992, p.98). In order to overcome some of these short falls, it was agreed to hold a review of the provisions of Article J.4 in 1996, based upon 'an evaluation of the progress made and the experience gained until then '

(Article J.4 (6)), and capitalising on the then impending expiry date of the WEU's Brussels Treaty in 1998.

The fact that it was necessary to postpone crucial decisions at Maastricht is symptomatic of the dilemmas faced by member states in negotiating a common foreign and security policy. While the political will for increased co-operation and co-ordination existed, it was tempered with an equal, if not greater, will to retain national autonomy in a sphere that has formed part of the 'central nucleus of the nation-state since its appearance at the time of the Renaissance,' namely defence and foreign policy (Barón 1997, p.91). Therefore, it was necessary to strike a balance between an efficient, credible and coherent policy for the EU, as a reflection of its values and interests, while also permitting member states to pursue their own national interests (Lodge 1993, p.247). So long as member states retain this ability it will be difficult for European foreign and security policy to develop beyond 'organized co-operation and mutual aid' in which authority is not transferred but rather jointly managed at the national and European level (Barón 1997, p.91). No amount of tinkering with sophisticated mechanisms can substitute 'clear policy goals and the determination to achieve them' (Welsh 1996, p.143). Indeed, the mechanisms established suggest that states retain traditional national security concerns, to which is added recognition of the need to bolster collective action. While potentially going some way to providing an alternative security reference in Europe, Maastricht Treaty does not represent a fundamental shift in focus beyond the state.

The CFSP in Action

Looking back on the Maastricht negotiations, former British Foreign Secretary Geoffrey Howe, summed up the general prognosis on CFSP, five years after its formulation:

‘...things look rather different. The QMV provisions have never been used. Relatively few joint actions have been undertaken. The CFSP budget is bogged down in controversy, immobilised between an unwillingness of individual countries to fund it, and a reluctance to let the European Union fund it for fear of the power which it might give the European Parliament. One is reminded of Charles Péguy’s comment: ‘Everything begins in mysticism and ends in politics.’ We have certainly been brought down to earth.’ (Howe 1996, p.23)

The reason for such pessimism is two fold, reflecting the distinction between CFSP as foreign policy and CFSP as integration. The latter aspect is manifest in the inter-institutional ranglings over finance and division of labour between the institutions; between integrationists and intergovernmentalists. The former is illustrated by frustration at the inability of the EU to formulate and implement effective foreign policy; what Christopher Hill has characterised as a ‘capabilities-expectations gap’ (Hill 1994, 1996, 1998). The cumulative effect of these differences is to further illustrate the problems associated with trying to pursue a common foreign policy and security identity for the EU. Such an identity appears resolutely attached to the member states, although it could be argued that individual national identities increasingly encompass a European dimension.

CFSP as Foreign Policy

As Neil Winn (1997) observes, ‘the proof of the pudding is in the eating,’ therefore in order to assess the effectiveness of CFSP it is instructive to analyse the practical application of joint actions. One should not judge CFSP solely by its joint actions but ‘since common positions and declarations are a continuation of EPC, the joint

action concept represents something new and thus worthy of note' (Ginsberg 1997, p.22). The eighty-one joint actions initiated between 1994 and 1998, represent 'a strange succession of ad hoc operations,' (Santer 1995, p.6) many of which are a continuation of existing policies under EPC, e.g. monitoring elections in South Africa³⁸, support for the Middle East peace process;³⁹ and have involved a mixture of CFSP and Community instruments (Lofthouse & Long 1996). In 1998 half of the twenty joint actions concerned the former Yugoslavia or Albania (European Commission 1999). Rather than focusing on one single case study this analysis will consider three joint actions, each of which met with differing levels of success and therefore point to differing characteristics of CFSP: convoying of humanitarian aid to Bosnia-Herzegovina; the administration of the City of Mostar; and the Stability Pact for Eastern Europe.

As the preceding analysis demonstrated, the crisis in Yugoslavia had more of an impact on CFSP in 1991 and 1992 than visa versa (Lofthouse and Long 1996, p.187). Subsequently, Yugoslavia has become the 'bête noir' of CFSP, proving an unfortunate test case, highlighting the difficulties of co-ordinating fifteen national foreign policies on a complex security issue (Piening 1997, p.44). Fittingly, therefore, the first CFSP joint action (8th November 1993) dealt with the provision of humanitarian aid to Bosnia-Herzegovina. The Council decided to co-operate more closely with the UN and UN High Commission for Refugees (UNHCR), to ensure that the convoying of humanitarian aid reached those who really needed it. Unfortunately, implementation of the joint action hit an immediate problem in

³⁸ See Holland 1995, for an extensive analysis of EPC and CFSP in South Africa.

³⁹ Other joint actions include monitoring elections in Russia, Nigeria and the Congo; extension of the Non-Proliferation Treaty; agreement of export guidelines for dual-use goods; control of anti-personnel mines; support for the civilian nuclear plant in North Korea. (Cameron 1997, p.43; Bretherton & Vogler, 1999 p.148).

determining whether the operation should be financed from the Community budget or by contributions from Member States, about which the TEU had been deliberately vague. Four months were subsequently lost while it was decided to split the costs fifty-fifty, with the Community budget covering administrative costs and Member States other costs, on the basis of a GNP scale. The EP's influence on CFSP therefore *de facto* extended through its powers of scrutiny over the EC budget (Edwards 1997, p.185). By this time, however, the winter had passed and with it the urgent need for humanitarian aid. Thus the inability of the CFSP to turn objective into reality was exposed, with the commensurate risk that 'the contrast between intentions and realized policy can easily become an international embarrassment to the EU and undermine its credibility.' (Spence 1998, p.53)

The money originally intended for humanitarian aid was subsequently diverted to finance a further joint action in the former Yugoslavia. During the war in Bosnia the city of Mostar came to represent a microcosm of the war. Known for its ethnic diversity, Mostar was torn apart as first the Croats and Bosnian-Muslims fought the Serbs, then the Croats and Bosnian Muslims fought each other. By the middle of 1994 the population of the city was half its pre-war total and was strictly divided between the Muslim East and Croat West, the East of the city having suffered the greatest destruction (Cameron 1999, p.51). A cease-fire was eventually reached, with the acceptance of an American plan to create a Muslim-Croat Federation, in March 1994. This was followed in July 1994 by a EU Council decision to initiate a joint action for the administration of Mostar, with the aim of restoring public order and overcoming the ethnic division through economic reconstruction and social and political integration (Edwards 1997, p.185). The intended action can best be

described as 'peace-building;' a 'post-conflict action to identify and support structures tending to strengthen and solidify a political settlement in order to avoid a return to conflict' (Spence 1998, p.55). Unfortunately, however, there was little in the way of peace to build upon. Serbs continued to shell the city while the Muslims and Croats proved reluctant to co-operate. The WEU sent, at the request of the Council, a civilian police force to support a unified police force. This represented a historic step in terms of the implementation of the TEU, but it too ultimately suffered from a lack of co-operation between the EU and local authorities. It was not until the arrival of IFOR, in January 1996, that it became possible to organise democratic elections, the final goal of the EU operations.

The Mostar experience, therefore, serves to illustrate the inability of the EU, throughout the Yugoslav conflict, to impose its will on a conflict fanned by deep inter-ethnic hatred. This is partly attributable to the EU's lack of a military enforcement mechanism and the difficulties of maintaining a consistent policy under the leadership a six-month rotating Presidency. Proper planning and analysis would have revealed that perhaps it should not actually have been there before the conditions for peace had been assured (Spence 1998, p.56). Nevertheless, the EU's action in Mostar can be regarded as a qualified success. Although it failed to unite the city and had to rely upon the UN and NATO to provide a degree of peace and stability, democratic elections did take place and economic reconstruction, particularly of the eastern part of the city, was a great success (Cameron 1999, p.55). However, it still failed to stop the fighting, leading interested states to operate outside the CFSP, preferring to work through the UN and NATO, bilateral relations with the

US and Russia and special ad hoc arrangements such as the Contact Group (Kintis 1997, p.167; Edwards 1997, p.189).

It is perhaps unfair to judge CFSP by its failure in Yugoslavia. Indeed, as Piening points out, individual member states, even Britain and France, did not perform with great distinction given the intractable difficulties encountered during the conflict (Piening 1997, p.194). Nevertheless, a number of lessons can be learnt concerning both the operation and content of the EU's foreign policy. The TEU mechanisms for CFSP proved inadequate in a number of respects. The lack of any planning and analysis contributed to the lack of policy direction and the impression (which was largely correct) of an essentially reactive approach. The rotating Presidency was found to be unhelpful in maintaining a consistent policy, even with the Troika system in operation, thus reinforcing the Commission's role as guarantor of consistency (Cameron 1999). Confusion over finance proved not only an embarrassment (*sic*) but also served to highlight the practical difficulties encountered in attempting to separate the political and economic aspects of external relations, as reinforced through the supposed division of labour between pillars one and two (see below). Moreover, EU policy tended to be more successful when dealing with the economic i.e. Community aspects of policy implementation, than when attempting to impose political solutions, as the Mostar experience clearly demonstrates. A difficulty compounded by the EU's inability to enforce its decisions militarily. It is, therefore, possible to derive contradictory conclusions from the Yugoslav experience for the performance of CSFP as foreign policy and integration. From the perspective of effective foreign policy, political and economic, it proved difficult to achieve an adequate degree of consensus among the member states to produce a truly common

foreign policy. However, from the integrationist perspective, the policies that did work served to enhance the role of Union institutions, suggesting that common policy is best achieved supranationally. The void in between these two interpretations is one of interests and identity. Until there is sufficient convergence of interests among the member states to produce a Union 'identity' it will remain difficult to implement a truly common foreign policy.

The successful implementation of the Stability Pact for Eastern Europe, serves to underline these conclusions. In December 1993 the French government presented the European Council in Copenhagen with a plan to promote stability in Eastern Europe. Initially named after the French Prime Minister, the Balladur Plan was intended as a means by which the Union could use its influence in Central and Eastern Europe to resolve the kind of border and minority disputes that had led to the crisis in Yugoslavia (Cameron 1999, p.44). Such influence was not inconsiderable in the light of the Commission's PHARE programme for technical assistance and the implicit understanding that participation in the pact was a necessary prerequisite of membership of the Union. The ensuing joint action therefore marked a significant 'move by the EU towards preventative action as opposed to other joint actions aimed at the resolution of existing crises' (Spence 1998, p.54). This was thus a case where the EU could make effective use of international 'presence' as a provider of economic and social security.

The Plan did not meet with immediate enthusiasm from either within the EU or those countries toward which the Pact was intended. There was some suspicion that it was essentially designed as a means of boosting the new French government's position at

home or as a challenge to CSCE and Council of Europe initiatives. Meanwhile the CEECs 'harboured reservations, and in some cases resentment' at the suggestion that they themselves posed a threat to peace and stability in the region (Cameron 1999, p.45). However, rarely has a diplomatic initiative 'evolved so dramatically from scepticism to success' (Ueta 1997, p.92). Following two round table conferences, one for the Baltic and one for the CEECs, the final Concluding Conference took place in Paris on 20-21 March 1996. Among its most notable achievements was the improvement of relations between Hungary, Romania and Slovakia.

The success of the joint action on the Stability Pact can be attributed to a number of factors, both internal and external to the EU. Firstly, the issue was uncontroversial and clearly stated, thus producing the political will necessary to carry the initiative through the changes in Presidency (Cameron 1999, p49-50). Secondly, because it was not a matter of crisis management, it was possible to invest appropriate planning and analysis into the Plan (Spence 1998, p.54). Thirdly, it was directed towards a region where the Union had significant weight, and was able to utilise those instruments it employs best, namely economic aid and the prospect of membership. Inevitably, this necessitated a major role for the Commission thus, to some extent, breaking down the artificial distinction between foreign policy and external relations (Winn 1997, p.27). Finally, the EU was able to work with, rather than in competition with, other European organisations and with the support of the US and Russia (Cameron 1999).

Unfortunately, such favourable conditions for CFSP have been rare. Nevertheless, the Stability Pact does confirm that CFSP is most effective when it sticks to what it does best i.e. less ambitious, economic diplomacy (Ginsberg 1997, p.22; Lofthouse

& Long 1996, p.195). Martin Holland reaches a similar conclusion in his analysis of EPC/CFSP policy towards South Africa. Again this was an issue upon which there was, from 1990, a broad internal consensus, which had been on the foreign policy agenda since the mid-1970s, was highly topical and necessitated a considerable amount of cross-pillar involvement (Holland 1995, 1995a, 1997). However, there is a danger that 'focusing only on soft security can result in criticism when more decisive action is needed,' as in the case of Yugoslavia (Tank 1998, p.20).

The Unions' dilemma in this respect is well characterised by Christopher Hill as a 'capabilities-expectations gap' (Hill 1994, 1996, 1998):

'The Community does not have the resources or the political structure to be able to respond to the demands which the Commission and certain Member States have virtually invited through their bullishness over the pace of internal change. The consequential *gap* which has opened up between *capabilities* and *expectations* is dangerous... it can lead to excessive risk-taking by the suppliant states and/or unrealistic policies on the part of the Twelve.' (Hill 1994, p.133)

The breadth of this very real 'gap' between what the CFSP claims to provide, and its actual ability to formulate and implement policy was exacerbated in the early 1990s by unrealistic expectations, characteristic of the optimism that followed the end of the Cold War and of the role the EU could play in resolving the Yugoslav crisis, as illustrated by Poos's declaration that 'the hour of Europe' had arrived (Cameron 1999, p.28). Five years on from his original analysis, Hill attempted a reassessment of the 'capabilities-expectations gap' (Hill 1998). His conclusion was that the gap had narrowed but in an essentially negative sense. The perceived failings of CFSP had led to increasing pessimism as to the Union's abilities, particularly amongst internal actors and the US. Indeed, there had emerged a tendency to *underestimate*

the capacity of CFSP (Hill 1998, p. 22). Nevertheless, there remain areas and issues, 'short of serious disorder,' where the EU continues to play an important role, for example, development aid to ACP countries, Latin America, South East Asia; applicants for membership and the numerous countries interested in political dialogue with the Union (Hill 1998, p.31-33). The Stability Pact and the South African example provide evidence that expectations and capabilities can coincide (Holland 1997, p.180). Indeed, as perceptions of security and the means of providing it are modified to include the economic and social, so the EU's relative success with soft security issues could be considered more practical and advantageous. Meanwhile, in terms of CFSP and integration there remain those within the Union who cling to 'the hope that external policy might be the motor for the whole integration process,' in the belief that only a federal solution can cope with an ever enlarging Union on the international arena (Hill 1998, p.30). The gap, therefore, has narrowed but it has not gone away, running the risk of creating a 'credibility-gap' in the perception of the EU's international role (Hill 1998, p.33, p.36).

The Institutional Setting

A key feature of any state or system of governance is some form of institutional structure through which interests and capabilities can be channelled and translated into policy outcomes. In his analysis of CFSP, Fraser Cameron (1998) asks: 'Do institutions matter?' His conclusion is that they do as 'institutional confusion continues to handicap the EU as a global actor' (p.59). The institutional framework through which CFSP operates influences the nature of CFSP both as foreign policy and process of integration. All foreign policy is affected by constitutional and bureaucratic structures. CFSP is no exception; indeed it may be particularly

vulnerable to such forces. Meanwhile, the extent to which Community or pillar one institutions and decision-making practices operate within the second pillar, provides a test of supranational integration.

The European Council stands at the apex of CFSP, as it had under EPC since its creation in 1975. Its role is to set the principles and general guidelines for the CFSP agenda. The essentially 'ad hoc summit style of decision-making' (Moens 1996, p112) and crowded policy agenda of the European Council deny it sufficient time and appropriate mechanisms to engage in serious debate on foreign policy (Cameron 1999, p.33). However, it is not intended to decide specific policy issues, but to establish 'a common European perspective at the elite level,' a task for which it is well suited (Holland 1995, p.10-11). The Presidency of the European Council represents the Union in CFSP, while the Commission represents the EU in external relations, a source of confusion for many both within and outside the Union. It continues to rotate on a six-monthly basis, providing individual member states with an opportunity to 'colour foreign policy priorities' (Cameron 1999, p.34), although this will always be constrained, to an extent, by the requirement for consensus. Such an opportunity is particularly welcomed by the smaller states, who fear a re-nationalisation of the system could lead to development of a *directoire* of big states (Allen 1996, p.294)⁴⁰. Nevertheless, the continual change in what is effectively the leadership of the Union in international affairs continues to diminish its ability to maintain a coherent and consistent foreign policy. Even the most *communautaire* of Presidencies has little interest in looking beyond six months, with concern for their

⁴⁰ Further apprehension about foreign and security policy becoming the preserve of a few more powerful states was further caused by the establishment of the Contact Group on the Former Yugoslavia (Cameron 1998, p.66).

own public opinion a higher priority than the future development of the Union (interview, DG E, March 1999).

The Council of Foreign Ministers, also referred to as the General Affairs Council, is the main decision-making centre of foreign policy. It is assisted in this task by the newly created CFSP unit which replaced the EPC Secretariat and is integrated into the Council's External Relations Directorate General (DG E). Its primary function is to provide administrative support to the Council although it remains small in comparison to the Commission's DG for external affairs. The task of preparing Council meetings is shared between the Political Committee (PoCo), as under EPC, and the Committee of Permanent Representatives (COREPER), as under pillar one. PoCo is charged with preparing reports and agenda items to be channelled through COREPER for the foreign ministers. Through this division of labour it was hoped that COREPER could use its position, straggling pillars one and two to ensure consistency between CFSP and the Community's external relations. The exact terms of this division were not specified, resulting in intense competition between the two bodies. Finally, a 'gentleman's agreement' was reached whereby COREPER would not change PoCo recommendations dealing exclusively with pillar two issues, although in practice COREPER has gained the final word on cross-pillar issues (Allen 1998, p.53; Regelsberger 1997, p.76).

Despite the limited introduction of QMV at Maastricht, consensus has remained the preferred method for reaching agreement in the Council, for fear of integrationist encroachment, thus re-emphasising the intergovernmental nature of CFSP (Ginsberg 1997, p.27). Douglas Hurd, British Foreign Secretary during the Maastricht

negotiations, makes the case for unanimity: 'A policy which all can support, because all agree with it, carries far more weight than one where underlying dissent might too easily be exposed' (Hurd 1994, p.422). While this certainly represents an ideal, the practicability of achieving consensus among fifteen-plus states presents a real obstacle to reaching speedy decisions in a rapidly changing world. Possible solutions to this dilemma were a key issue in the negotiations leading to the Treaty of Amsterdam.

The TEU marked an increased role for the European Commission in CFSP, as compared to EPC. The introduction of a shared right of initiative, although more limited than under pillar one, nevertheless suggested 'a possible breach in the otherwise intergovernmental context of CFSP' (Holland 1997, p.7). While the Commission's unique position in both pillars, afforded it an excellent opportunity to exploit its role, along with the Council, as guarantor of 'consistency' (Holland 1995, p.27). However, following its initial success in the South African joint action, some member states became concerned about the potential expansion of the Commission's role and the subsequent *communautairisation* of foreign policy it would entail (Holland 1997, p.6). This, coupled with growing public concern for its perceived expansion, led the Commission to draw in its horns. However, reluctance to use its new powers did not prevented it from continuing to seek 'to extend its legal competence for the sake of further integration', with the commensurate risk of further 'demonstrating its actual incompetence to carry out such duties' (Allen 1996, p.294-5). Moreover, the Commission continues to represent a considerable international bureaucracy with delegates stationed throughout the world, bringing

considerable weight and expertise to possibly the fifth largest diplomatic service in Europe (Cameron 1999, p.40).

The European Parliament probably had less to gain than the other Community institutions, given the traditionally limited influence of parliaments over foreign and security policy. The Single European Act had given it the right to ratify new treaties and association agreements with third parties, giving it the potential to exercise influence over a significant aspect of external relations. Progress at Maastricht was arguably less significant. Its right to scrutinise CFSP has been rigorously, if not always judiciously, applied in plenary sessions and in committee (interviews, UK MEPs, July/August 1997). While the Commission has proved more conscientious in its obligation than the Council to keep Parliament informed of developments (Ibid.). The greatest potential for parliamentary influence is over finance. The TEU (Article J.11) distinguishes between ‘administrative’ and ‘operational’ costs, with administrative costs being automatically charged to the Community budget. However, it is up to the Council to decide, unanimously, whether to charge operational costs to the Community or the member states. This led to considerable delays, as the joint action on humanitarian aid to Bosnia demonstrated, contributing to the impression that CFSP was ‘a convenient excuse for avoiding action and ridged, unalterable policy positions once they were agreed’ (Peterson 1998, p.6). Prima-face the issue appears a technical one, yet it goes to the heart of the intergovernmental-integration debate. Article J.11 was in itself a compromise necessitated by the British Government’s resistance to funding CFSP from the Community budget, with the concomitant extension of the EP’s influence (Forster & Wallace 1996, p.428). This leads to a further dilemma, between the reluctance to

increase the scope of the Parliament's budgetary powers while not wishing to increase national spending (Allen 1996, p.296; Regelsberger 1997, p.81). The implications of such reluctance to spend money on CFSP are obvious. The issue was not to be satisfactorily resolved until Amsterdam, nevertheless, simply by allowing some expenditure to come under the budgetary authority of the EP the TEU could be regarded as, partially at least, 'automatically negating the exclusively intergovernmental nature of CFSP' (Spence 1998, p.47).

The TEU declared that 'the Union shall be served by a single institutional framework which shall ensure the consistency and the continuity of the actions carried out...' (Article C). This was partly in recognition of the fact, as emphasised in the re-conceptualisation of security (see Chapter One) that 'a European foreign policy could not be built upon the CFSP alone,' but would need to draw upon all aspects of the Union's external policy, such as development aid and sanctions, which came under the jurisdiction of pillar one (Allen 1998, p.51). Indeed, as Hill observes: 'A truly European presence in the world would involve collective policies in all major issue areas, thus bringing economics and politics together, as well as rationalising the decision-making process' (1994, p.122). However, a 'single institutional framework,' let alone consistency across the Union, would appear difficult to achieve given 'the variety of competences and activities engaged in by the Union and the Community in external relations and foreign affairs' (Holland 1995, p.226).

Consistency operates on two levels: horizontally between the Community's external relations and CFSP and vertically between the Union and its member states. (Krenzler & Schneider 1997). Horizontally, the pillar structure with its different

policy-making procedures and shared competences actually serves to 'further consolidate the [artificial] separation between external economic relations and foreign policy,' (Bretherton & Vogler 1999, p.194). As the above case studies demonstrate the result in terms of policy out-put is to 'aggravate the problems of coherence and consistency in external relations' (Cameron 1999, p.101).

Vertically, the TEU gave legal force to member states' compliance to common positions and joint actions. Nevertheless, national foreign policies are far from becoming marginalized. Indeed, it is possible to conceive of CFSP as 'serving rather than replacing national independence by allowing increased solidarity and national policies to develop in parallel' (Hill 1997). However, this strictly realist interpretation fails to take account of the 'co-operation reflex' that is generally recognised as having developed between member states. National officials have become accustomed to working together through EPC and CFSP, leading to a degree of '*social* integration,' which cannot be explained by a purely intergovernmental analysis (Glarbo 1999). Through his constructivist approach Glarbo highlights the sociological impact of habitualised co-operation in breaking down national prejudices among officials, a process not dissimilar to that identified by neo-functionalists. Consequently, 'the co-ordination reflex dictates policy proposals originating in single or subgroups of states to be aired with political co-operation partners before an ensuing unilateral/bilateral action is implemented' (Glarbo 1999, p.644). As one Council official observed; 'even if some view points are not necessarily the same, if you create a habit of talking to each other, after a certain time positions do become much closer' (interview, DG E, March 1999). Unilateral/bilateral actions can and do occur with out consultation, such as French President Mitterrand's efforts to negotiate a settlement in Bosnia in 1992; once the

ability to do so is lost member states will effectively have lost sovereign authority over foreign policy. Moreover, the co-operation reflex will tend to be limited to those most involved in decision-making at the European level, whose tendency to 'go native' may be resisted amongst those who have not benefited from the socialisation process.

Conclusion

The provisions of the TEU demonstrated a commitment to the idea of a CFSP and went some way to provide the mechanisms for its achievement. However, it could do little to develop actual policy goals. Indeed CFSP does not constitute a 'common' policy, comparable to the Common Commercial Policy, and retains many of the characteristics of intergovernmental policy co-operation that operated under EPC (Martin 1997, p.5; Peterson 1998, p.5). Integrationalist ambitions for CFSP have therefore been disappointed. The realist interpretation of CFSP therefore appears to provide the most accurate/useful paradigm when conceptualising European foreign policy, whether in terms of foreign policy (failures) or (unlikely) process of integration. In contrast, neo-functionalist assumptions regarding the spillover from economic to political integration would appear, if not unfounded, at least over optimistic or premature. Nevertheless, there is evidence that a process of *engrenage* is taking place, leading to a narrowing of perceived national differences to an extent that cannot be explained merely in terms of national interest.⁴¹ Practice has also revealed a number of tensions in the present division of high and low politics that suggests a rationalisation of Community and intergovernmental decision-making procedures would make for more efficient, effective and coherent foreign policy.

⁴¹ See Chapter One for a constructivist approach to security whereby interests are acquired by a process of socialisation (e.g. Lipschutz 1995; McSweeney 1999; Wendt 1992)

Both camps, however, fear the intrusion of the other onto their patch; the watering down of the Community method as likely an outcome as the withering of intergovernmental procedures. Whichever direction CFSP moves, therefore, could be a decisive factor in determining whether the EU is developing towards a federal solution or is merely a hybrid international institution. To determine this, as Ginsberg (1997, p.12) observes, will require 'a combination of political will, institutional reform and agreement over what kind of actor the member states want the EU to be.' Arguably it is the latter of these which will prove most difficult to achieve.

Chapter Five

The Treaty of Amsterdam

The inability of governments negotiating at Maastricht to produce satisfactory solutions to the implementation and institutional mechanisms of the newly created CFSP provided one of the principal motives behind the intention to convene another inter-governmental conference in 1996 (Duff 1997, p.124). Labelled Maastricht II, this was the first IGC to be mandated by Treaty rather than as a governmental response to internal and external pressure (Edwards & Pijpers 1997, p.4). However, the end result of the IGC, the Treaty of Amsterdam, 'is not likely to be remembered in the history of the European Union as the kind of watershed represented by its predecessors' (Moravcsik & Nicolaidis 1999, p.60). The intervening time between treaties had witnessed almost 'the complete unravelling of the compromise reached with such difficulty at the Maastricht European Council' (Edwards & Pijpers 1997, p.2). In the face of the hostile public reception of the TEU and the difficult ratification processes in Denmark, Britain and even in France and Germany, the 1996 IGC witnessed the attempt on behalf of the 'large member states to reinforce their control over the EU project' at the expense of the Community method of integration (Devuyst 1999, p.109). Such retrenchment was further encouraged by the continuing inability of CFSP to deal effectively with the war in the former Yugoslavia or other international crises as they arose. Consequently little substantive change was possible, although a number of minor institutional and mechanical reforms did, potentially, promise a more efficient system. However, the overall impact of the Conference was to prove that member state governments continue to dominate the institutional development of foreign and security policy as much as they do the

policy itself. Government representatives dominated treaty negotiations, with supranational Community institutions playing a subsidiary role. The IGC experience would appear, therefore, to confirm that states retain their primacy in the security field, regulating the degree to which authority is transferred to the regional level.

The Road to Amsterdam

In contrast to the deliberations leading to Maastricht that went on largely behind closed doors, the 1996 IGC drew on numerous submissions from member states, the Commission, EP and non-governmental organisations (Cameron 1999, p.61). However, drawing upon the lessons of the Maastricht ratification debate, the overall approach of most submissions was one of caution and pragmatism (Laursen 1997, p.60). This was reflected in the approach of the newly appointed Commission President Jacques Santer, who explained to an audience in London, 'we should take as our motto "less action but better action" and only action that can be best achieved at European level' (Santer, speech 4/5/1995).

In March 1994 the Ioannian informal meeting of the Foreign Affairs Council agreed to set up a Reflection Group, made up of two representatives each from the member states, Commission and Parliament. The group, under the chairmanship of the former Spanish Foreign Minister Carlos Westendorp, was to present a report on their deliberations to the Madrid European Council in December 1995. In keeping with the more cautious approach the final report recommended that the 'Conference should focus on necessary changes without embarking on a complete revision of the Treaty.' The overriding aims, therefore, were:

- '- making Europe more visible to its citizens;

- enabling the Union to work better and preparing it for enlargement;
- giving the Union greater capacity for external action.' (Westendorp Report 1995, section III)

The later would enable the EU to 'play its part on the international stage as a factor for peace and stability,' and would therefore require a Union 'capable of identifying its interests, deciding on its action and implementing it effectively,' i.e. a capacity to make foreign policy (Westendorp Report 1995, section III)⁴². However, as the report itself observed, there was no common view as to the reasons for CFSP's shortcomings (ibid, para. 148), let alone any consensus as to possible solutions. Problems identified included a lack of running in time for CFSP, the creation of unrealistically high expectations together with rather vague objectives and inadequate instruments for achieving them, a lack of political will, or the inadequate working of the 'pillared' structure (ibid).

In practice the Reflection Group's deliberations served largely to reproduce the differences between its members and to 'confirm a dearth of original ideas and the unlikelihood of consensus on major reforms' (Dinan 1999, p.37). Indeed the final report was replete with qualifying phrases, reflecting the divergence of views, such as 'broad majority,' or 'some members.' This was reflected in the European Parliament's evaluation of the Reflection Group which recognised that 'the report contains a number of possible options but also some shortcomings and negative options and no unanimous agreement on the major issues for the IGC' (Dury/Maij-Weggen Report, EP 12/3/1996, para. K). Member governments were more inclined to use it as a forum for putting their own ideas on the table, to identify areas of

⁴² For Westendorp Report and other submissions to IGC see <http://europa.eu.int/en/agenda/igc.html>.

possible consensus, rather than as a mechanism for changing underlying preferences (Moravcsik & Nicolaidis 1999, p.60). As Santer was to lament to the European Parliament during his State of the Union Address in 1996; ‘A lack of dynamism, ambitions pitched too low – those are the impressions given by the discussions at the moment. Rather than concentrating on what is essential and facing up to the real challenges of the year 2000, I sometimes think that the national governments are using the conference to revive their old proposals.’ (Santer, European Parliament, 18/9/1996).

Nevertheless, it was generally recognised that CFSP had to be reformed to make it more effective. The key issues for CFSP included the provision of a policy and planning unit, a ‘Mr/Ms CFSP’ to represent the Union’s foreign policy abroad, revision of decision-making procedures and furthering the Union’s capabilities in the security and defence field. Government positions on these issues failed to reflect uniformly federalist or nationalist policies, with governments apparently taking an ‘issue-specific’ approach in support of stable national interests, reflecting a preoccupation with both European and domestic level political games (Moravcsik & Nicolaidis 1999; Edwards & Pijpers 1997).⁴³ The greatest consensus existed over the need for a policy analysis and planning unit, although there was some dispute as to whether the unit should be empowered merely to plan or initiate policy, the role of member states and Union institutions in the unit and its links with the Atlantic Alliance (M.E. Smith 1998, p.160). The Reflection Group concluded that the unit should be located within the General Secretariat of the Council to reflect the primacy

⁴³ The positions of all fifteen member states was collated for the EP (8/12/1995). For the purposes of this discussion specific references will focus on the positions of the UK, France and Germany as the key players in CFSP, except where a particularly noteworthy contribution was made by another member state.

of member states in CFSP, while the involvement of the Commission in forecasting, analysis and the sharing of information would help foster links between the two and facilitate consistency between the external political and economic dimensions of the Union (Westerdorp Report 1995, para. 153). Certain member states, including the French, German (Fribourg Letter, 27/2/1996) and British (FCO 1995) governments also favoured some linkage with the WEU. Finally, it was 'widely considered' that the unit should be a preparatory body with no formal right of initiative (Westerdorp Report 1995, para. 153).

The debate on a planning and analysis unit was closely linked to that over the appointment of a representative for CFSP, under whose authority the unit could ultimately lie. There was general agreement on the need for greater visibility and transparency to give CFSP a higher profile (Westerdorp Report 1995, section III). The French were the strongest supporters of an autonomous political personality, a Secretary General of CFSP or 'President of the EU,' appointed by and under the direct authority of the European Council, in contact with the other institutions (French Position on the IGC, Report to European Parliament 8/12/1995). There were few supporters for this option, however, perceived by many as leading to the development of a Fouchet Plan-style foreign ministry⁴⁴, or simply as too intergovernmental. Other member governments' preferences fell approximately into three groups (Gourlay & Remacle, 1998). The first group, the 'orthodox Europeanists' made up of the Benelux countries and supported by Greece, wished to see the creation of a unit jointly by the Commission and the Council and for external representation to be shared by one official each from the Presidency and Commission

⁴⁴ See Chapter Three for Fouchet Plan.

(M.E. Smith 1998, p.163). The second or 'pragmatic' group, which included Germany, Austria, Italy, Spain and Ireland, supported an enhanced role for the Secretary General of the Council, to be elected by the Council and confirmed by the EP, to provide the EU with 'a recognisable identity and confer greater continuity, credibility, responsibility, legitimacy and transparency on the measures it takes, thereby overcoming the constraints imposed by the rotating Presidency' (Italian Position on the IGC, Report to European Parliament 8/12/1995). The third group of 'pure intergovernmentalists,' Britain, Denmark, Sweden and Finland, preferred the appointment of a lower ranking official for the post of Mr/Ms CFSP. He or she would be fully answerable to the Council in representing the views of member states, not deciding them (British Approach to the European Union Intergovernmental Conference, 12/3/1996 para.41).

These three groups, though differently constituted, also existed over the issue of decision-making (Gourlay & Remacle, 1998). A majority of states, made up of the Benelux countries, Germany, Italy, Spain, Finland and Austria, favoured the introduction of QMV as the general rule in the Council. As German Foreign Minister Klaus Kinkel explained, it was necessary to 'break the taboo of majority decisions in CFSP,' thus making it 'more difficult to block decisions and to increase pressure to reach consensus' (Kinkel speech, 17/1/1995). The only exceptions would be matters dealing with military issues; no member state would be forced to take part in a military mission, although all should be obliged to supply logistical and financial support (German Position on the IGC, Report to European Parliament 8/12/1995⁴⁵).

⁴⁵ In addition to statements by government officials, the German contribution to the EP included papers submitted by the CDU/CSU Group in the Bundestag. These papers presented overtly federalist views towards European integration in general and the CFSP and European defence specifically. While going further than government proposals the close association between Chancellor Kohl and

This would allow for more flexibility, enabling a majority of member states to act together on behalf of the Union, providing vital national interests were not at stake (Italian Position on the IGC, Report to European Parliament 8/12/1995). The French, characteristically in a category of their own, supported mechanisms that would permit those member states willing and able to move faster and further on CFSP (and integration generally) to do so, while also retaining the principle of unanimity and the intergovernmental character of CFSP. They therefore supported the limited extension of QMV and tabled proposals for flexible unanimity, such as constructive abstention, which would allow a majority of states to proceed while maintaining the ultimate right of veto (French Position on the IGC, Report to European Parliament 8/12/1995). The final group, composed of Britain, Denmark, Greece, Portugal and Sweden, wished to avoid any erosion of national vetoes. As explained in the British approach to the IGC, entitled 'A Partnership of Nations,' the weaknesses of CFSP lay in its short running in time and its formation and execution, rather than its decision-making processes. Moreover, and contrary to the majority view (*sic*), it would be 'unwise to try to force action through artificial voting procedures,' without the political will to act collectively, as 'CFSP will only carry weight internationally if it represents a genuinely common policy, not a majority one' (FCO 1996).

On defence the lines between federalists and intergovernmentalists, Europeanists and Atlanticists remained drawn much as they had at Maastricht. However, the impact of EMU had worked to draw countries like Italy, Portugal and the Netherlands closer to the Europeanist core (Gourlay & Remacle 1998, p.73) but this was to some degree counter-balanced by the added complication of three more neutral member states.

the CDU, in particular Wolfgang Schäuble and Karl Lamers authors of the two papers (Manifesto of the CDU/CSU Group, 1/9/1994; Discussion paper on strengthening the European Union's ability to act in the field of CFSP, 13/6/1995) is suggestive of executive support.

The debate on defence centred on the future institutional role of the WEU. In its own contribution to the Reflection Group the WEU presented three options (WEU Contribution to the European Union Intergovernmental Conference of 1996, Madrid 14/11/1995):

- A) Reinforced partnership between an autonomous WEU and the European Union (para.50-58)
- B) Intermediate options towards an EU-WEU institutional convergence (para.59-75)
- C) Integration of WEU into the EU (para.76-92).

A majority of governments supported a variant of option B or C, such as the Franco-German proposal, set out in a letter from Chirac and Kohl to the Spanish Presidency in December 1995, to ‘define the relationship between the WEU and the EU with a view to 1998’ when members of the WEU could choose to opt out of the Brussels Treaty (French Position on the IGC, Report to European Parliament 8/12/1995). The long term goal would be a defence policy, ‘integrated into the Union’s responsibilities on an intergovernmental basis,’ with the WEU becoming ‘the Union’s instrument for implementing decisions adopted...in the field of the CFSP and defence’ (German Position on the IGC, Report to European Parliament 8/12/1995). Such an outcome would, according to the Reflection Group Report, respond to ‘the logic of Maastricht’ and be ‘the best way to achieve coherence between the CFSP and the defence policy, thereby allowing for better coordination between the various instruments of crisis management’ (Westendorp Report 1995, para.177).⁴⁶

⁴⁶ For an analysis of the various options for WEU/EU merger and difficulties thereby presented, see chapter on ESDI.

The British position on defence, however, remained unaltered since Maastricht, emphasising the importance of NATO and the UN as ‘the foundations of European security and defence policy,’ with a NATO capable of tackling future crises and retaining its prerogative in providing territorial defence (UK Government Memorandum on Defence, 2/3/1995)⁴⁷. Support was given for the development of WEU capabilities, providing these were ‘compatible with not contradictory to NATO’ (ibid). The real focus should be on ‘building the European identity within NATO, and developing the ability of European nations to contribute more to the Alliance’ (Portillo, speech 23/10.1996). The EU, with its supranational procedures and lack of politico-military experience would be unsuited to the kind of life and death decisions required of military operations (Davis, speech 25/6/1996). Therefore, as Foreign Secretary Rifkind elucidated, while ‘it would be useful to improve defence co-operation in Europe by closer co-operation between the European Union and Western European Union. We do not, however, believe in the integration of these two bodies or the subordination of the WEU to the European Union’ (Rifkind, Speech to House of Commons, 12/3/1996). This position was to remain essentially unaltered after the election of Tony Blair’s government in May 1997. As the newly appointed Minister for Europe explained; ‘We favour improved practical arrangements so that the WEU and EU can work effectively alongside each other, as separate institutions. We regard NATO as the primary framework for common defence for all members of the Alliance’ (Henderson, speech 5/5/1997).

⁴⁷ Notwithstanding this consistency of approach British and French positions on defence had been undergoing a rapprochement, largely as a result of ‘France’s willingness to participate in NATO on the same basis as other allies’ (Rifkind, WEU Assembly 5/6/96). However, for essentially domestic political reasons it was not possible exploit this coming-together, with the Franco-German tandem remaining the focal bilateral relationship, despite the lingering differences between the two governments, not least on defence.

For the neutral states, merger of the WEU and EU was also unwelcome, as was any extension of obligations towards guarantees of territorial integrity.⁴⁸ However, this did not prevent them from making a positive contribution to the debate on security. A memorandum from Sweden and Finland in April 1996, called for a reinforced link between the EU and WEU and appropriate consultation with NATO. This would then help the Union define and assert an enhanced crisis management role, through the inclusion of the Petersberg Tasks (humanitarian and rescue operation, peacekeeping and crisis management) 'into the scope of the CFSP as membership tasks.' Such a solution would not affect the status of member states' defence commitments to NATO or their own neutrality (The IGC and the Security and Defence Dimension: Towards an Enhanced EU Role in Crisis Management, 25/4/1996). Subsequently, the inclusion of the Petersberg tasks into the treaty became one of the least contested issues on defence, although differences remained as to whether the EU should 'request' or 'instruct' the WEU to act in such incidences.

The Commission and Parliament failed to produce any striking proposals for the IGC, reflecting the more cautious approach in the wake of public disenchantment with European integration, that 'focused on the need to improve efficiency rather than on a political federalist project for the future Union' (Gourlay & Remacle 1998, p.66). The Commission would, therefore, be actively involved in trying to improve the workings of CFSP 'not to try and take over from the Member States, but to help bring our policies together and give them the missing strategic dimension' (Santer,

⁴⁸ For example, the Swedish Foreign Minister, Lena Hjelm-Wallen, told the Swedish Parliament that Sweden would remain neutral in a war in neighbouring regions, while the Finnish government declared itself willing to carry out peacekeeping but not peace enforcement missions. In contrast both Austria and Ireland have moved closer to NATO (respective government positions on the IGC, Report to the EP 8/12/1995).

speech EP 17/1/1995). Nevertheless, both institutions were to make proposals that went beyond the more cautious consensus reached by the member states, particularly on defence, but on the whole they tended to set their sights 'on the upper range of what [they] considered realistic' (Jean Monnet Papers, 1998).

Both the Commission and the EP recognised the need for the Union to be able 'to act rather than react, the better to defend the interests of its people' (Commission's Opinion on the 1996 IGC, para.23). To this end it was proposed that QMV should become the norm in CFSP, except in military matters, where there should be an option to allow some member states to take action on behalf of the Union when not all wished to be involved, 'as long as they are not against the general interests of the Union' (Commission's Opinion on the 1996 IGC, para.31; Dury/Maij-Weggen Report, EP 12/3/1996, para.18.8). Both agreed that a policy planning and analysis unit should be established composed of experts from the Commission and member states, under the auspices of the Commission (Commission's Opinion on the 1996 IGC, para.29; Dury/Maij-Weggen Report, EP 12/3/1996, para.18.7). The Commission would continue to share responsibility with the Presidency for ensuring co-operation between the institutions and presenting a united front to the outside world (Commission's Opinion on the 1996 IGC, para.23). However, both institutions opposed the idea of a special representative for CFSP, as Santer explained, 'the idea of an independent personality operating in parallel to the Council and Commission will not work – it is bound to create confusion and tension' (Santer, speech 7/12/1995; see also Dury/Maij-Weggen Report, EP 12/3/1996, para.18.9). The EP called for greater parliamentary monitoring of CFSP and both proposed that implementation expenditure be charged to the Community budget

(with the subsequent additional role for the EP and Commission), unless expressly decided otherwise (Commission's Opinion on the 1996 IGC, para.33; Dury/Maij-Weggen Report, EP 12/3/1996, para.18.11-12). Finally, the separate pillars should be scraped to allow the various strands of European Foreign policy to form 'a single effective whole, with structures and procedures designed to enhance consistency and continuity' (Commission's Opinion on the 1996 IGC, para.23). The result would be 'a more effective EU foreign policy within the framework of the Community pillar, integrating the common commercial policy, development co-operation policy, humanitarian aid and CFSP matters...' (EP Resolution on TEU, 17/5/1995, para.A3).

On defence both recognised that 'a proper common foreign and security policy has to extend to common defence arrangements' (Commission's Opinion on the 1996 IGC, para.34). Therefore, they supported the incorporation of the Petersberg tasks and the WEU, minus Article V, into the Treaty to form the European pillar of NATO, which 'remains at the centre of Europe's defence arrangements' (Commission's Opinion on the 1996 IGC, para.34; Dury/Maij-Weggen Report, EP 12/3/1996, para.19.1). Nevertheless, it was recognised that this would not be immediately possible as 'defence matters are still too close to what Member States see as belonging to their national sovereignty' (Santer, speech 7/12/1995). The Commission proposed, therefore, that the IGC should start by writing the Petersberg tasks into the treaty, creating a role for defence ministers in the Council and reviewing the role of the WEU 'with a view to incorporating it into the Union according to a settled timetable' (Commission's Opinion on the 1996 IGC, para.35).

In his analysis of the final Treaty, the Commission President concluded that, while the negotiations had been difficult, the result was a fair approximation of what the Commission had presented in its Opinion in February 1996. However, while the progress made on CFSP appeared, political will providing, largely satisfactory there had failed to be a breakthrough on defence (Santer, speech EP 26/6/1997). Indeed, overall the conditions surrounding the 1996 IGC failed to offer the sort of opportunity afforded by the SEA ‘for supranational actors to mobilise previously disorganised, but potentially powerful transnational interests,’ as these did not exist as they had for the economic, regulatory policy involved in establishing the Single Market (Moravcsik & Nicolaidis 1999, p.72).

Provisions of the Amsterdam Treaty on European Union⁴⁹

A consensus on CFSP was finally produced in time for the Amsterdam Council, ‘partly as a result of exhaustion and partly from a recognition that some countries had drawn ‘clear lines in the sand’’(Cameron 1999, p.64). Moreover, the failure of France, Germany, Italy and Spain to support an EU position criticising China’s human rights record, and Britain and Germany’s refusal to join the Italian and French led stabilisation force in Albania, appeared to confirm a growing trend among the big European states to go their own way on foreign policy (*Financial Times* 6/5/1997).

Article J.11 added a new objective of CFSP, to safeguard the ‘independence and integrity of the Union in conformity with the principles of the United Nations Charter.’ Exactly what this entailed, however, was not expanded upon, but it was

⁴⁹ See Appendix C for Title V of the Treaty of Amsterdam.

probably the closest the Greeks could get to guarantee of territorial integrity without taking up the WEU's Article V commitment.

Article J.12 added a new instrument, the common strategy. According to Article J.13, common strategies will be decided upon by the European Council, on the recommendation of the Council, in 'areas where member states have important interests in common,' such as the common strategy for bilateral relations between the EU and Russia, agreed at the Cologne European Council in June 1999. The Council will then 'implement them, in particular by adopting joint actions and common positions.' Joint actions are clarified as addressing 'specific situations where operational action by the Union is deemed to be required' (Article J.14). Common positions 'shall define the approach of the Union to a particular matter of a geographic or thematic nature' (Article J.15). It is not clear, however, how common strategies and common positions differ, other than the former providing a general basis upon which to elaborate the former.

Article J.18 provides for two new innovations – a 'High Representative' for CFSP and a revised troika system. The Presidency retains responsibility for implementing foreign policy decisions and for representing the Union in international organisations and conferences. It will be assisted in this task by the Secretary General of the Council 'who shall exercise the function of High Representative' (Article J.18.3). In a newly constituted troika the Presidency will be joined by the High Representative, the Commission and if necessary the next member state to hold the Presidency (Article J.18.4). The final paragraph of Article 18 also formalises the practice of appointing special envoys to represent the Union on particular issues. The High

Representative will also assist the Council ‘in particular through contributing to the formulation, preparation and implementation of policy decisions’ in the CFSP and, at the request of the Presidency, ‘conduct political dialogue with third parties’ (Article J.26). At its Vienna meeting in December 1998, the European Council agreed that the High Representative should be ‘a person with a strong political profile.’ This intention was apparently confirmed by the decision of the Cologne European Council to appoint the former Spanish Foreign Minister and NATO Secretary General, Javier Solana to the position. However, to date the High Representative has failed to cut a dominant role on the international stage, perhaps a reflection of the continued lack of collective political will.

The High Representative will also head the new Policy Planning and Early Warning Unit (PPEWU), to be established in the Secretariat General of the Council with ‘appropriate cooperation’ from the Commission. Its personnel will be drawn from the General Secretariat, member states, the Commission and WEU. Member states and the Commission may suggest work to be undertaken by the unit, whose tasks will include monitoring and assessing developments relevant to CFSP and presenting policy options to the Presidency for discussion by the Council. However, it will rely upon the Commission and member states to provide it with relevant information, including confidential material, a dependency that might serve to restrict its performance (Declaration to the Final Act on the Establishment of a Policy Planning and Early Warning Unit).

Article J.24 provides for the possibility of concluding international agreements with one or more states or international organisations, within the sphere of CFSP. Acting

unanimously the Council may authorise the Presidency to enter into negotiations assisted, when necessary, by the Commission. Conclusion of such agreements will be made, on the recommendation of the Presidency, unanimously in the Council. No state will be forced to comply with an agreement against its own constitutional procedures, meanwhile other states can agree to apply the agreement provisionally to themselves. By enhancing the Union's ability to participate in international affairs this new procedure 'could be interpreted in the future as recognising an implicit legal personality for the EU' (Cameron 1999, p.67). In the mean time, however, ultimate responsibility for concluding agreements continues to rest with member states in the Council.

For decision-making unanimity remains the rule, and is obligatory for decisions with military or defence implications. Nevertheless, the introduction of 'constructive abstention' and the extension of QMV, added a degree of flexibility in line with the overall trend of the Treaty (see Duff 1997; Philippart & Edwards 1999). In order to prevent the abstention of one or a small number of member states precluding the adoption of decisions, a state may 'qualify its abstention by making a formal declaration.' As a result it will not be required to apply the decision but must 'accept that the decision commits the Union,' and 'refrain from any action likely to conflict with or impede Union action.' If more than one third of the weighed votes abstain the action shall not be adopted (Article J.23.2). QMV was extended to cases where the Council adopts joint actions, common positions or other decisions based on a common strategy and when implementing a joint action or common position. If, on the basis of 'important and stated reasons of national policy,' a state opposes the adoption of a decision by QMV, the Council may, acting by QMV, 'request that the

matter be referred to the European Council for decision by unanimity' (Article J.23.3). Thus the 'timid move towards QMV' in CFSP is counterbalanced by the inclusion into the Treaty, '(f)or the first time in EU history, the French interpretation of the Luxembourg Compromise' (Devuyst 1999, p.114).

In order to finance CFSP, administrative expenditure shall be charged to the Community budget, together with any operational expenditure incurred. In cases having military implications or when agreed unanimously by the Council expenditure will be charged to the member states on a GNP scale (Article 18). In an inter-institutional agreement attached to the Treaty the Council, Commission and Parliament agreed that expenditure would be considered non-obligatory, thus endowing the EP with the final word.

On defence the ambition for an 'eventual' common defence policy was replaced by the slightly more assertive 'progressive framing of a common defence policy' (Article J.17.1). As predicated the Petersberg Tasks were incorporated under paragraph 2 of the article on defence. The WEU would not be integrated into the Union in the short or medium term, although the possibility of future merger was explicitly recognised. Consequently, the Union would 'foster closer relations with the WEU with a view to the possibility of integration of the WEU into the Union, should the Council so decide' (Article J.17.1). In the mean time the WEU would remain 'an integral part of the development of the Union providing it with access to an operational capacity' (ibid.). The Council 'will avail itself of the WEU to elaborate and implement decisions and actions which have defence implications.' And make arrangements for all participating members of the Union to be involved in

decisions taken in the WEU (Article J.17.3). The special requirements of the neutrals and the primacy of NATO is recognised, the article 'shall not prejudice the specific character of the security of certain Member States and shall respect the obligations of certain Member States, which see their common defence realised in NATO' (Article J.17.1). As regards co-operation in the field of armaments member states are merely requested to co-operate as they 'consider appropriate' (ibid.). Thus the basis of West European defence was left essentially unaltered: intergovernmental and Atlanticist.

Amsterdam and Beyond

The initial reception for the Amsterdam Treaty, from an integrationist perspective, was far from positive. As one commentator observed, the Treaty 'reads more like a party manifesto than a hallowed constitutional document' (*Financial Times*, 19/6/1997). It is therefore, perhaps instructive to look upon Amsterdam 'as more like a 10,000 mile service than a new engine' (Cameron 1999, p.68). The intergovernmental nature of CFSP remains essentially unchallenged with the maintenance of the pillar structure and only limited expansion of majority voting and supranational institutional involvement. Nevertheless, the creation of the PPEWU, a High Representative, reform of decision-making and financing procedures and enhanced links with the WEU should enable CFSP to function more effectively and coherently. It is possibly too soon to judge exactly what progress these reforms have made, although the Union's reaction to crises in Kosovo and the Caucasus did not show a significant advance in the EU's ability to act rather than react. On defence the Amsterdam provisions for the eventual integration of the WEU and EU were

superseded by the Anglo-French declaration at St. Malo before the Treaty officially came into force.

Overall, however, any assessment of Amsterdam must conclude that it was essentially an exercise in 'damage control' on the part of member states and Community institutions alike, who appeared 'more concerned that the Conference should not upset an already wary public or jeopardise a delicate domestic political situation' (Jean Monnet Papers, 1998). The preference of governments to pursue relatively stable national interests on a case-by-case cost benefit analysis, supports Moravcsik and Nicolaidis's application of a liberal-institutionalist account of the bargaining leading to the Treaty. The introduction of constructive abstention in CFSP and the so called 'flexibility clauses' scattered through out the Treaty, challenge the very 'ethos of the Community method...equated with uniform integration,' to focus instead on 'co-ordination through more limited or different modes of regulation' (Edwards & Pijpers 1999, p.105). Ultimately, it could be construed that the Community method of integration has reached its limits and that in the absence of spillover from EMU to political union the EU will continue as a hybrid mix of supranational governance and intergovernmental co-operation (Moravcsik & Nicolaidis 1999; Gourlay & Remacle 1998). CFSP would remain, in this context, 'limited to some non-vital sectors of co-operation or 'low intensity' crisis management in near by regions,' while 'the Union will remain largely a civilian power under the security umbrella of the US' (Gourlay & Remacle 1998, p.90). This assumes of course that the US remains willing to provide such assurances, a crucial factor that remains to be fully tested. Moreover, while member states may be prepared, or even required, to pool resources for the provision of

security and the promotion of collective interests, the outcome of the 1996 IGC suggests that they feel confident enough in their own capacity as security providers to limit the degree of transfer to the supranational level.

Chapter Six

European Security and Defence Identity

It is a widely held truism that in order for the EU to be taken seriously on the international arena it needs some sort of military capability (Bull, 1982). This belief reflects the preoccupation within Security Studies and realist/neo-realist discourses in International Relations with the state provision of national security, which persists despite the shift in the concept of security, focusing much less upon its military aspects (see Chapter One). Indeed, as Sjursen points out, ‘the ability of the EU to act in the security and defence realm is seen as a fundamental component of the EU’s political identity.’ (Sjursen 1998, p. 99) With the establishment of a Common Foreign and Security policy at Maastricht, reinforced at Amsterdam, functional logic would appear to suggest that the time is ripe for the European Union to develop its own defensive capability thus, potentially, transforming the ‘political identity’ or character of the EU. The Treaty on European Union makes explicit the commitment to the ‘eventual framing of a common defence policy, which might in time lead to a common defence.’ (Treaty of Maastricht; Art. J4.1). The means by which this might be achieved are posited in the Western European Union, which will, ‘elaborate and implement decisions and actions of the Union which have defence implications.’ (Treaty of Amsterdam; Art. J7.3). The problem arises, however, as Salmon points out, that ‘...security and defence strike at the very *raison d’être* of states, namely the ability to defend and uphold the lives and property of their citizens. Without that rationale, what are states left to do?’ (Salmon 1993, p.219). A realist perspective would therefore caution against the practicability or even desirability of exposing defence to integrative forces. The susceptibility of defence to integration will ultimately depend on whether it is possible to regard defence as just another function,

ripe for integration (Foster 1997, Krupnick 1996). This in turn will depend upon conceptions of the state and sovereignty; whether, as Waever suggests, states are willing to be 'flexible' in defining the limits/scope of their own sovereignty or whether integration of defence remains a zero-sum game (Waever 1996, p.116). The existence of such a limit, conceptual and/or real as far as state actors are concerned, will be decisive in determining whether the EU is able to over-step the accepted boundaries of statehood.

The negotiations leading to the conclusion of the Treaty of Amsterdam suggested that, for a number of states, session of any authority over defence to a supranational organisation remains unacceptable. However, the British position, which had appeared to be most entrenched at Amsterdam, changed dramatically in December 1998 with the Anglo-French declaration at St. Malo, calling for a more concerted effort in co-ordinating European defence and making some form of merger between the EU and WEU possible. Consequently, member states were able, at the Helsinki European Council Summit in December 1999, to agree terms for the inclusion of WEU functions, minus provisions for Article 5 territorial defence (which is the preserve of NATO anyway) into the second pillar.

To fully comprehend these developments, and their bearing upon the process of European integration, it is necessary to examine the interaction of three broadly defined issue areas, namely: institutional, national interests and external actors. The institutional question evolves around the complex relationship that has developed between the EU, WEU and NATO since the transformation of European security in the wake of the end of the Cold War. Therefore it is necessary to examine both the

adaptation of NATO roles and missions to this new environment, in particular the commitment to the development of a European Security and Defence Identity (ESDI) within the North Atlantic Alliance, and the rejuvenation of the WEU in the wake of the Maastricht and Amsterdam treaties. As a sphere of integration dominated by intergovernmental solutions, the national interests of key players in European security are paramount in assessing and explaining further integration. Of particular significance are the positions of the British and French. Both governments have undergone a re-assessment of their priorities for European defence in recent years. An understanding of these policy changes and their implications is therefore essential. Finally, it is necessary to consider the influence of those states outside the EU. Primary amongst these is the attitude of the United States, particularly within the context of NATO. Other actors to be considered include non-EU members of NATO such as Norway and Turkey.

NATO: The Transforming Alliance

The collapse of Communism in Eastern Europe and the disintegration of the Soviet Union brought the Cold War to an end, transforming the security agenda. No longer was Western Europe threatened by the spectre of a massive conventional and nuclear attack from the East, the artificial division of Europe and Germany was over, leaving European states potentially free to join in a pan-European security community. Consequently, it appeared that NATO's very *raison d'être* had disappeared. A product of the division of Europe, NATO should cease to exist along with that division. It would be supplanted from above by a rejuvenated Organisation for Security and Co-operation in Europe (OSCE) and from below by the EU, bestowed with a common foreign and security policy. The OSCE had the double advantage of

a membership extending to all European states, plus the United States and Canada, and a history of marginalisation such as to rob it of any lingering Cold War suspicion. Meanwhile, the intergovernmental conference of the European Community was actively discussing the formulation of a common defence (see Chapter Four).

However, talk of NATO's demise in the wake of the end of the Cold War proved to be premature. The heads of state and government of the NATO member states responded swiftly to the rapidly transforming security environment with their declaration, in London in July 1990, on 'A Transformed Alliance.' This was followed in November 1991 by the launch of NATO's New Strategic Concept (NSC). Emphasis was placed upon the need to reduce the over all size and readiness of the Alliance's military forces, given the diminished threat from the East. Remaining forces were to be restructured to meet the post-Cold War security 'risks', which were identified as being 'multi-faceted in nature and multi-directional.' (NSC para.9) However, the need to retain the capacity for collective defence, backed up by nuclear deterrence, would remain the primary function of the Alliance. The political aspects of security were to be reinforced through dialogue, transparency and co-operation with both the Alliance's former adversaries and other security institutions. Consequently, the North Atlantic Council (NAC) was expanded to include the foreign ministers of former Warsaw Pact countries in the North Atlantic Co-operation Council (NACC). Meanwhile, the importance of the security role performed by the OSCE, EC and WEU was recognised, as part of a system of 'interlocking and mutually reinforcing institutions.' In particular the development of a 'security dimension' within the EC was welcomed:

‘The development of a European security and defence role, reflected in the European pillar within the Alliance, will not only serve the interests of the European states but also reinforce the integrity and effectiveness of the Alliance as a whole,’ (NSC para.3)

This rather tentative endorsement included the caveat (as acknowledged in the TEU) that NATO remained ‘the essential forum for consultation among the Allies and the forum for agreement on policies bearing on the security and defence commitments of its members...’ (NSC para.22).

Thus by the beginning of 1992 the contours of the institutional debate over the location of a European defence identity had been sketched out. The EU, with the assistance of the WEU, had its sights set on the eventual framing of a common defence while accepting, for the time being, the predominance of NATO. Meanwhile NATO, in an attempt to appear relevant to the future, and to compensate for the withdrawal of American troops, accepted the need for the European members of the Alliance to take more responsibility for their own defence, providing it remained the primary institution. This situation raised two fundamental questions; firstly, how could the EU fulfil its commitment to a common defence without, even with the WEU at its disposal, the necessary military assets and capabilities with which to implement such a policy? Secondly, to what extent was the transformation of NATO any more than a cosmetic exercise to sustain an organisation that had outlived its purpose?

In the optimistic climate of the early 1990s it was possible to foresee the EU developing a security and defence identity, through the WEU, which would eventually transcend NATO (Moens, 1992). In June 1992 the two organisations seemed to be developing in parallel (Bretherton & Vogler, 1999 p. 209). Following

the WEU's commitment to the 'Petersberg tasks,' of humanitarian and rescue missions, peacekeeping and peacemaking, the North Atlantic Council, meeting in Oslo, declared that NATO was 'prepared to support, on a case-by-case basis... peacekeeping activities under the responsibility of the CSCE or Security Council of the UN' (Oslo Communiqué). Subsequently, both institutions were eager to prove their competence within this new area of activity. Unfortunately, just as the onset of the Yugoslav crisis had, through out the Maastricht negotiations, served to highlight the practical difficulties of producing a common European foreign policy, so the continuing conflict underlined the inadequacies of the EU's attempt, through the WEU, to assume anything approaching a military role.

In the wake of the Petersberg and Oslo declarations, both the WEU and NATO sent naval patrols to the Adriatic in July 1992, to enforce UN sanctions against Serbia. The rather bizarre situation of the two flotillas, each operating either side of a line, reporting to different commanders, but doing the same job using the same ships, persisted for almost a year, until the two operations were combined under the NATO led 'Operation Sharp Guard.' Further WEU involvement in the former Yugoslavia was limited to the deployment of civilian police officers, initially to support customs officers along the Danube and then, for the first time under the TEU at the request of the EU, to the divided city of Mostar, as part of the implementation of the Dayton Peace Agreement. Whilst not unimportant, this constituted a rather limited input for the would-be defence arm of the European Union, 'atypical' of what governments had had in mind under the Amsterdam Treaty (interview, WEU Secretariat, March 1999). In contrast, NATO soon found itself involved in the monitoring of UN no-fly zones over Bosnia, culminating in the bombardment of Bosnian Serb positions

around Sarajevo under 'Operation Deliberate Force'. NATO headquarters facilities were also made available to the UN Protection Force in Bosnia (UNPROFOR), which was superseded, following the peace agreement, by the NATO led peace Implementation Force (IFOR) and its successor the Stabilisation Force (SFOR).

Clearly, therefore, the transformation of NATO had been far from cosmetic. The wide range of tasks performed by IFOR and SFOR, from law enforcement to education, provide empirical evidence as to 'the extent of adaptation accomplished by an organisation which, until 1990, embraced a strategic concept involving the early first use of nuclear weapons.' (Bretherton & Vogler, 1999 p. 211) However, the question over the EU/WEU's capacity for military action remained unresolved, the Yugoslav experience seeing it 'increasingly marginalized, while NATO's role expanded considerably.' (Ibid.) Military capabilities and the means and will to use them still mattered in post-communist Europe.

CJTF: a wolf in sheep's clothing?

Thus far the institutional aspect of the security debate in the early 1990s has been characterised in terms of a rivalry between the EU/WEU and NATO. This rivalry was underwritten by the suggestion that a distinct European security and defence identity (ESDI) was incompatible with the primacy of NATO. However, in January 1994 the North Atlantic Council, meeting in Brussels, gave explicit backing to the entry into force of the Maastricht Treaty and its call for the eventual framing of a common defence policy:

'We give our full support to the development of a European Security and Defence Identity... The emergence of a European Security and Defence Identity will strengthen the European pillar of the Alliance while reinforcing the transatlantic link and will enable European Allies to take greater

responsibility for their common security and defence.’ (NATO Press Communiqué M-1 (94) 3, para.4)

Moreover, beyond such rhetoric the Council declared itself willing to lend practical assistance to such efforts:

‘...to make collective assets of the Alliance available, on the basis of consultations in the North Atlantic Council, for WEU operations undertaken by the European Allies in pursuit of their Common Foreign and Security Policy.’ (NATO Press Communiqué M-1 (94) 3, para.6)

The mechanism for such asset sharing, as outlined in the Brussels Communiqué, was to be the development of the concept of the Combined Joint Task Force (CJTF). However, it took a further two years before the details of the commitment could be agreed upon at Berlin in June 1996, overcoming American concerns about the use of US assets in the possible absence of a US commander and French reservations about entrusting European military capabilities to NATO. (Barry, 1996 p.84)

The inspiration for the CJTF initiative came from the experience of deploying NATO assets in UNPROFOR and later IFOR (Bretherton & Vogler, 1999 p. 210). The concept itself draws much of its substance from US military doctrine and can be defined as; ‘a multinational, multiservice, task-force consisting of NATO and possibly non-NATO forces capable of rapid deployment to conduct limited peace operations beyond Alliance borders, under the control of either NATO’s integrated military structure or the Western European Union.’ (Barry, 1996 p.84)

Consequently, it becomes possible for the WEU to form and command a military operation, using NATO assets and capabilities, without the direct participation of the US. This is to be achieved through the use of ‘separable but not separate capabilities, assets and support assets,’ (NATO Press Communiqué M-NAC-1 (96) 63) para.7) in the form of a nucleus CJTF headquarters and other command and control elements

(C2) taken from within one of the major NATO HQs. The staff for these headquarters would also be provided from the parent HQ, through the use of 'double-hatted' personnel (Ibid.). By utilising existing assets duplication is avoided, thus overcoming the reluctance of EU member states to invest in the necessary military hardware and technology which a totally independent ESDI would require. Moreover, through the utilisation of existing NATO allocated assets, the construction of a rival military organisation is also avoided, allaying American and other Atlantisist fears of a challenge to NATO's position.

In order for NATO assets to be released for a WEU led operation agreement has to be reached in the North Atlantic Council (NAC). Furthermore, once approval is given, NAC will 'keep itself informed on their use through monitoring with the advice of the NATO Military Authorities... and keep their use under review.' (NATO Press Communiqué M-NAC-1 (96) 63) para.7). In other words before an operation can be launched agreement must be reached among all nineteen member states, including the US, and will remain subject to further scrutiny once it is underway. However, actual NATO owned assets are very few, comprising principally of some fixed command control and communication systems (C3) and a number of airborne warning and control systems (AWACS). Consequently, what 'Europeans would need to conduct anything but small scale and near by interventions are not NATO assets but national US ones.' (Gordon, 1997/8 p.111) Thus, unless WEU member states are willing to invest in enhancing their own military capabilities (part of the rationale behind CJTF is that they are not), they will remain dependent upon the US for both military and political support. Such dependency risks the subordination of the whole of CFSP to the blessing of the United States (interview,

Council Secretariat, March 1999). In particular, a question mark remains over the willingness of the US to approve the use of its assets and associated personnel, under European command, for an operation which it is unwilling to become directly involved in itself. As Anne Deighton points out, 'there is a lack of clarity about the definition of a task that is important enough for the committal of European troops, but not important enough to warrant direct US participation.' (Deighton 1997, p.172) It is possible that in the event of a small-scale operation, supported by Washington, with minimal risk of escalation, the US would authorise a WEU-led CJTF (Gordon 1997, p.264). However, as the conflict in the former Yugoslavia has illustrated, 'even where general interests and political intentions remain similar,' such as with peacekeeping, 'significant political divergences,' exist between the US and Europe (assuming the Europeans can agree among themselves) (Chilton 1995, p.93). In the event of approval being granted for a WEU led mission, NAC's right to monitor and review the use of NATO and/or US assets could conceivably lead to their withdrawal from an on-going operation which became subject to unexpected 'mission creep.' As a result, the 'possibility of a *de facto* US veto over... WEU uses of the CJTF therefore still exists.' (Duke, 1996 p.179)

The CJTF concept provides a mechanism by which the WEU can act as the defence arm of the European Union, thus adding credibility to CFSP and increasing the potential for the EU to act more effectively on the international arena. However, as Paul Cornish observes, 'CJTF is not simply a Euro-friendly afterthought in NATO's restructuring process.' (Cornish, 1996, p.763) It was, as the late NATO Secretary General Manfred Wörner described, the 'next logical step' in NATO's own development (Wörner, 1994 pp3-6). As such the CJTF fulfils three functions

(Cornish, 1996). Firstly, and most importantly, it allows NATO to develop the necessary mechanisms to carry out future non-Article 5 missions such as IFOR and SFOR (Vincent, 1994). Secondly, it provides an opportunity for NATO's partnership nations to become actively involved in NATO operations. Finally, it allows for the development, as declared at Berlin, of ESDI *within* the Alliance. By thus embracing ESDI, in addition to making NATO and US assets and capabilities available to the WEU, CJTF 'will enable the development and growth of ESDI to be carefully controlled,' with the result that 'it is most unlikely that a serious rival to NATO could now develop,' in the medium term. (Cornish, 1996, p.764)

The territorial defence of Europe remains the sole preserve of NATO. This has not, however, resulted in a division of labour between the two organisations, as originally anticipated, with NATO confined to Article 5 and WEU non-article 5 missions. (Cornish, 1996 p.762) Rather, as its involvement in the Balkans has demonstrated, NATO intends to pursue an active crisis management role, potentially well beyond Alliance territory⁵⁰. Consequently, the opportunities for independent action by the WEU would appear to be narrow, limited to small-scale 'soft' humanitarian and rescue missions, while NATO takes on the more controversial and deadly 'hard' missions requiring military enforcement. (Ibid. p.763) In the real-politick of international affairs, NATO was proved to be the more 'agile' European security institution, seizing the initiative from the EU (Sjursen, 1998 p.111-2). What has been achieved, therefore, is not an independent military capability for the EU but 'institutionalised co-operation within the Atlantic Alliance.' (Menon, 1996, p.279)

⁵⁰ See Roger Cohen, 'Europeans Contest U.S. NATO vision: Broader Alliance Role Opposed;' International Herald Tribune (1/12/1998)

While useful in the short to medium term, development of the CJTFs does not provide the EU or EU member states with an independent mechanism for the military enforcement of CFSP. The integrative potential of the CJTF depends upon whether it is seen as a means in itself or as a means to another end. The CJTF concept is not bereft of any integrative potential. As Sjursen points out, 'in practice, the functioning of the CJTFs require close co-operation and co-ordination, binding states together in a close working relationship...' (Sjursen, 1998, p.105). According to functionalist logic collaboration at this level could lead to pressure for further political integration. Indeed, through its provision of an integrated military command structure over the last half century, NATO has provided an important mechanism for nurturing a multi-national military culture. Consequently, by effectively putting the cart before the horse in providing the means for common defence before the creation of a common or single defence policy, the CJTF raises the possibility that 'military integration may precede political integration,' as evidenced in Bosnia. (Chilton, 1995 p.86; Sjursen 1998 p.105; Jopp, 1998 p.159) However, as Chilton observes, the CJTF provides for combined rather than common or collective defence. (Ibid. p.102) The CJTF is intended to be a 'coalition of the willing,' with each contributing state deciding on a case-by-case basis when, and to what extent, to become involved in any CJTF mission. This inevitably raises the issue of burden sharing but also the fact that it remains the inalienable right of the nation-state to decide when and how to deploy military forces. As a result the sovereign integrity of the state is maintained, while the suggestion that defence is no more than just another function ripe for integration is refuted. (Foster, 1997; Gordon, 1997/8)

A Role for the WEU?

If, as Jean-Felix Paganon suggests, ESDI constitutes an ‘institutional triangle,’ then the WEU has a ‘pivotal role to play’ in the future development of European security architecture (Paganon, 1997 p.94). It forms both the ‘defence component’ of the EU and the ‘European pillar’ of NATO, therefore providing the crucial link between the two most important security institutions in Europe. At their historic Council meeting, held at Petersberg castle near Bonn in June 1992, WEU ministers declared that the WEU was ‘ready to play a full part in building up Europe’s security architecture,’ together with the EU and NATO (Petersberg Declaration, 1992, Section I. para.3). Subsequently, this once moribund institution became imbued with a new sense of purpose seeking to expand its membership, roles and missions, together with an evolving capacity for independent action.

As a result of decisions taken at Maastricht and Petersberg membership of the WEU has been extended to include all members of the EU as either full members or as Observers. Greece became the tenth member of the WEU in 1992, while Denmark (although a NATO member) and Ireland became Observers, to be joined by Austria, Finland and Sweden on their accession to the EU. Meanwhile, non-EU European members of NATO were offered Associate membership, bringing Iceland, Norway and Turkey into the fold, followed by Hungary, Poland and the Czech Republic in 1999. In May 1994, at the WEU’s Kirchberg summit, the status of Associate Partner was created and extended to the countries of Central and Eastern Europe, which had signed partnership agreements with the European Union. By 1999 total WEU membership stood at twenty-eight. However, not all members have equal rights within the organisation, with only the ten full members enjoying complete voting

rights within the WEU Council (Coffey, 1998 p.118). Moreover, while the TEU opened membership of the WEU to all EU members the formal link between NATO and WEU, particularly through Article 5 of their respective treaties, it has become accepted that 'NATO membership is a prerequisite for WEU membership, even though the reverse is not true.' Consequently, the US possesses a potential indirect veto over membership of Europe's own defence organisation. (Gnesotto, 1996 p.24).

Arguably the most significant aspect of the Petersberg Declaration was the commitment by WEU member states to 'support on a case-by-case basis...the effective implementation of conflict-prevention and conflict-management measures, including peacekeeping activities of the CSCE or the United Nations Security Council.' (Petersberg Declaration, 1992, Section I. para.2). As a result, in addition to providing collective defence, units assigned to the WEU could be deployed for humanitarian and rescue tasks, peacekeeping tasks, and tasks of combat forces in crisis management, including peacekeeping – the so called 'Petersberg Tasks' (Ibid. Section II, para.4). However, a commitment to deploy forces to such operations would remain 'in accordance with our (member states') own procedures,' the details of which were not elaborated upon. Nevertheless, the Petersberg Tasks came to 'form the 'core' function of the WEU.' (Sjursen, 1998 p.99).

To give substance to the Petersberg Tasks, practical measures have been taken to provide the procedures and mechanisms needed to plan, prepare and conduct future operations. These include a Situation Centre to keep track of potential crises, and a Satellite Centre which uses both commercially available imagery and imagery from the Franco-Italian-Spanish Helios defence observation satellite. A Planning Cell has

also been established, to prepare contingency plans for the deployment of forces under WEU auspices and making recommendations for the necessary command, control and communication arrangements (C3). However, this does not amount to an operational planning tool. Its function is merely to provide military advice to the WEU Council, monitoring potential crisis areas and offering contingency plans, before handing the conduct of an operation over to NATO, under the direction of Deputy SACEUR, or individual 'framework' nations. The role of the Planning Cell can therefore be summed up as saying to NATO or individual states, "this is our basic framework plan that the Council agreed to, would you please now expand on the detailed operational plan..." (interview, NATO HQ, March 1999). Furthermore, the WEU does not possess its own forces or permanent command structures. Instead the Planning Cell holds a database of military units and headquarters that 'might' be allocated to the WEU for specific operations (Petersberg Declaration, 1992, Section II. para.9). Duplication of forces for NATO and WEU is therefore avoided through the 'double hatting' of available units. These 'Forces answerable to the WEU' (FAWEU) consist of national and multi-national formations, including the EUROCORPS, the UK/Netherlands Amphibious Force and, under the CJTF initiative, NATO assets and capabilities. However, it remains up to the states themselves whether they are willing to make their assets available to the WEU and in the case of forces usually assigned to NATO only, 'after consultation with NATO' (Petersberg Declaration, 1992, Section II. para.6). The WEU, therefore, remained a long way from achieving its own operational capacity, independent of NATO (Bretherton & Vogler, 1999 p. 206), with ultimate control of military capabilities remaining with the member states.

Given its pivotal position between NATO and the EU, the relationship of the WEU with these two organisationally opposed institutions, provides a key indicator as to the integrative potential of defence. The TEU sought to set the guidelines for the EU/WEU relationship. Since then the Secretariat has moved from London to Brussels, thus lending practical assistance to the development of a closer relationship with both the EU and NATO. Meetings have been co-ordinated between relevant working groups. Arrangements have been made for the exchange of relevant information between the two secretariats and participation by secretariat members in each other's meetings. Despite the misgivings of some states, notably Britain and France, about the involvement of the European Commission in the sacrosanct area of defence, the Commission has been given the opportunity to obtain WEU information and join WEU meetings as part of the Presidency's delegation (Jopp, 1998 p.157). The duration of the WEU Presidency has been reduced from twelve to six months in an attempt to harmonise the sequence of presidencies with the EU. The creation of the EU's Policy Planning and Early Warning Unit (PPEWU), drawing personnel from the EU General Secretariat, the European Commission, EU member states and the WEU should also enhance closer co-operation between the two organisations on a day-to-day basis. Limited use has also been made of the mechanisms whereby, under Article J.4 of the TEU, the EU can request the WEU 'to elaborate and implement decisions and actions of the Union that have defence implications.' (Art. J.4 (2)). For example, the WEU contributed a police contingent to the administration of Mostar, on the basis of a formal request from the EU.

However, problems remain. The sharing of information has, from the EU's perspective, been rather one sided, with the WEU reluctant to pass classified NATO

documents to the EU (interview, NATO HQ, March 1999). The synchronisation of EU and WEU presidencies only works when the holder of the EU presidency is also a full member of the WEU and therefore (with the exception of Denmark), also a member of NATO. Indeed, overall progress towards greater co-operation has been disappointing, particularly when compared to the closeness of the WEU/NATO relationship. This is probably 'related as much to a difference in culture as it is to shortfalls in the existing mechanisms for co-operation.' (Paganon, 1997 p.98) These are two very different organisations; all decision-making within the WEU is intergovernmental and by consensus in contrast to the EU's complicated systems of majority voting and supranational institutions. The EU Presidency is much stronger than its WEU counterpart and the personnel also tend to have different backgrounds and experiences when it comes to security – political and economic in the EU, military in the WEU. The implications of this clash of cultures were illustrated by the EU's treatment of the WEU when requesting a de-mining operation in Croatia. According to one WEU official the financial mechanisms for the operation were 'wholly inappropriate,' treating the WEU 'very much as the EU would treat an NGO doing a contract for humanitarian aid.' (Interview, NATO, March 1999)

Conversely, there is 'greater affinity between the organisational cultures, and indeed personnel,' of the WEU and NATO (Bretherton & Vogler, 1999 p.206).⁵¹ Indeed a 'special relationship' has existed between NATO and the WEU since the Modified Brussels Treaty ruled out the duplication of NATO capabilities, effectively subordinating the WEU to NATO in the defence of Europe. (Jopp 1998, p.157) However, just as the WEU's relationship with the EU has been evolving, so has its

⁵¹ This difference in culture between the EU and NATO/WEU was recognised by many of the subjects interviewed at NATO, WEU and the EU, although EU officials tended to be more sanguine.

relationship with NATO – from subordinate to equal partner and possible rival. As already noted the CJTF concept opens up the possibility of WEU led operations using NATO assets and capabilities. Subsequently planning work has been conducted to identify the sort of mission the WEU might take on and what NATO assets it might need to call upon. A classified Framework Agreement, drawn up for NATO's Washington Summit in April 1999, sets out the modalities for the transfer, monitoring and return of such assets. In the context of NATO's own institutional adaptation, a new command structure with multinational European command arrangements has been developed to prepare, support, command and control WEU-led operations. Deputy SACEUR becomes the key figure who will prepare for transfers of NATO assets and capabilities and could provide the operational command. Other practical measures for enhanced co-operation include; joint sessions of the WEU and NATO Councils; a Security Agreement to facilitate the exchange of classified information; regular consultations between Secretariats and military staffs; and participation by each Secretary General in the ministerial meetings of the other. None of this rules out possible differences of opinion, from tensions within WEU/NATO Council meetings to competition in the enforcement of sanctions against Serbia. The Adriatic incident undoubtedly marked the nadir of NATO/WEU relations, however experiences in the Former Yugoslavia as a whole led to a consensus among WEU member states that NATO possesses material advantages when military action was required.

The WEU therefore remained poised between NATO and the EU, its position reflecting a compromise between the need for a military capability for the CFSP and reluctance to endow the EU with its own defence; between integrationists and

intergovernmentalists; Europeanists and Atlanticists. Moreover, the WEU acts as a 'lubricant' between NATO and the EU, while their membership, role and ethos remain different. (Cornish, 1996 p.768) Consequently, its 'well-worked-out arrangements with NATO and the EU,' allow it 'to draw on the military support of the former, and the political guidance and non-military strengths of the latter.' (Bailes, 1999a) But, such is the technical nature of these arrangements 'that public opinion is not likely to notice the Community is being brought nearer to the threshold of radical change by seemingly innocuous administrative incrementalism.' (Hill, 1994 p.116) Indeed, as Philip Gordon observes, in the absence of the WEU and the role it fulfils 'Europeans would probably want to invent a security organisation of their own, and since all Europeans would not agree on a defence role for the European Union, they would probably end up with something very much like the WEU.' (Gordon, 1997 p.104)

Meeting in the Middle? Shifts in French and British policy on ESDI

If the evolution of the WEU provides morsels of hope for the neo-functionalist, that economic integration leads to political and security integration, and to the realist that co-operation on military affairs remains the preserve of intergovernmental arrangements, it also provides evidence to support a liberal-institutionalist approach. Neo-functionalist spillover pressures exist, but it takes a shift in the policy of key governments for integration to move forward. In the case of defence the key governmental player are France and Britain. Both states share similar historical legacies as global, imperial powers; both hold permanent seats on the UN Security Council; both maintain independent nuclear deterrents; both possess the capability to project power beyond the North Atlantic area. However, despite the apparent

similarities in their position the two states have traditionally taken diametrically opposed approaches to the institutional architecture of Europe. The French have sought, ideally, to replace NATO and US domination with a wholly European organisation; while the British have been staunch defenders of NATO, opposing any effort to undermine the Alliance. The only point on which the two have agreed is that defence should not become subject to any supranational control. However, in the wake of reform in NATO, the EU and WEU, both states have to some extent revised their traditional stances on defence, with significant implications for the European defence debate. It remains to be seen what the implications of these shifts will be for the EU, given the apparently special nature of defence and the existence of alternative defence institutions in Europe.⁵²

The sea change in French policy has been its re-orientation towards NATO. Since the time of de Gaulle French foreign and defence policy had been based upon its independence, of which the ‘cornerstone’ was an autonomous strategic and tactical nuclear capability, the *force de frappe* (Menon, 1995 p.19). The maintenance of this independence was perceived to be incompatible with membership of NATO’s integrated military command structure and the subsequent subordination of French defence forces to an American commander (Cogan, 1997 p.121). This hostility to NATO did not fade in the immediate aftermath of the Cold War. The elimination of the Soviet threat apparently removing the military need for the US and NATO to remain pre-eminent in Europe, leaving the way open for a European defence entity to

⁵² Although arguably the main beneficiary of ESDI, German policy is of lesser significance in security/defence debate. Moreover, it has not been necessary for Germany to undergo a fundamental review of its traditional stance of supporting both an increasing security role for the EU and support for the Atlantic Alliance.

assume increasing responsibility for collective security (Grant, 1996 p.59). However, it soon became clear that France did, in fact, need NATO.

The protection afforded Western Europe by the Americans during the Cold War had arguably provided the safe environment in which France could assert its independence and espouse European defence, sure in the knowledge that ultimately the US would lead the defence of Europe (Menon, 1995 p.20). Experiences in the Gulf War and Bosnia quickly exposed the deficiencies of conventional French forces, demonstrating that France, and indeed the Europeans as a whole, 'lacked the military ability to back up its pretensions to a world role' (Menon, 1995 p.21). Moreover, in both instances French forces found themselves operating under US military command, with the French contingent of IFOR coming under direct NATO command for the first time since 1966 (Grant, 1996 p.58; Le Gloannec, 1997 p.86). Indeed, in the light of European failings in Bosnia, the French government started to fear US disengagement more than the prospect of US hegemony (Grant, 1996 p.64)

The very basis of French independence, the *force de frappe*, was also threatened by the emerging New World order. NATO's declaration in its New Strategic Concept that nuclear weapons were to be 'truly weapons of last resort' highlighted the declining relevance of nuclear power. Consequently, the argument in favour of remaining apart from NATO as a means of maintaining nuclear independence 'lost most of its intensity' (Cogan, 1997 p.130). Increasingly, assertion of French power would depend upon the ability to project power, which for the short term at least, would require recourse to NATO/US assets and capabilities. This in itself also became more palatable to the French as it was deduced that a reduced US military

presence in Europe would entail a concomitant reduction in American influence. Moreover, US policy itself became, under President Clinton, more supportive of the development of ESDI, which had 'a significant impact in Paris'. It became, therefore, increasingly possible for France 'to move closer to the NATO structures without the fear of loss of sovereignty that existed during the Cold War' (Cogan, 1997 p.131).

President Mitterrand, however, remained cautious (Menon 1995 p.27; Grant, 1996 p.65). Although the French participated in negotiations leading to NATO's New Strategic Concept in 1991, France's allies, particularly the British and Americans, remained suspicious of French intentions, particularly with the creation of Eurocorps as a potential rival to NATO. This, together with France's partial membership of the organisation's decision-making bodies, 'proved to be counter-productive in terms of promoting French goals within the Alliance' (Grant, 1996 p.65). Consequently, by clinging to outdated policies France missed a perfect opportunity to induce reform, causing annoyance to its allies and excluding itself from important decisions (Menon, 1995 p.24).

Nevertheless tentative moves were made, such as the establishment, with Britain in July 1993, of the Joint Commission on Nuclear Policy, marking a departure for both states from their previous reluctance to discuss nuclear issues. While Mitterrand and Commission President Jacques Delors 'toyed with the idea of devising a European role for France's nuclear weapons' (Le Gloannec, 1997 p.85). Agreement was also reached, in January 1993, between France, Germany and NATO, that Eurocorps could be placed under NATO operational command in the event of a crisis, thus

allaying fears of Eurocorps challenging NATO while bringing France closer to the Alliance fold (Menon, 1995 p.26).

Ironically, it was the election of a Gaullist government in 1993, followed by the election of Jacques Chirac as President in 1995 that led to a further warming of relations between France and NATO. Part of the Gaullist government's programme was reform of France's defence forces to meet the security challenges of the new European order. This reassessment included the recognition that France could not afford to be a mere spectator in NATO's reform process (Menon 1995 p.29). In April 1993 the head of the French mission to the Military Committee joined in, for the first time since 1966, all Committee meetings relating to peacekeeping missions that involved French forces (Grant, 1996 p.61). French representatives were also involved in discussions leading to the unveiling of the CJTF initiative in Brussels in 1994. The CJTF concept promised to promote a key French aim by giving substance to an ESDI. However, support for the principle that this identity should develop 'within' the Atlantic Alliance, 'signalled a shift in the instance of Paris on the creation of a truly autonomous European defence identity' (Menon, 1995 p.31). The revolution in Franco-NATO relations was given further impetus during the NAC ministerial meeting on 5th December 1995, when Foreign Minister Hervé de Charette declared French support for the transatlantic security link and its intention to participate more fully in the functioning of the Alliance. As a result the French Defence Minister would participate in meetings of the Council of defence ministers, France would resume its seat in the Military Committee and work to improve its relationship with SHAPE. It would not, however, join the Defence Planning Committee or the integrated military structure. De Charette also outlined France's

three objectives for NATO reform; the development of ESDI within the Alliance; strengthening the WEU; and continuing adaptation of the structures of the Alliance (De Charette, 1996). As Defence Minister Charles Millon explained, this rapprochement was intended to allow France to make 'a better contribution' to the reform of the Alliance and 'to enable her partners to share her convictions in favour of strengthening political control and the European identity within NATO' (Millon, 1996). The December 1995 announcement marked 'a significant symbolic step' in French attitudes to European defence, accepting that rather than creating 'a totally separate defence identity around the WEU' they would accept the creation of 'a distinctly European defence "pillar" within NATO' (Cogan, 1997 p.133).

Nevertheless, tensions continued to dominate France's relationship with NATO, as the debate over the appointment of NATO's Southern Commander demonstrated. France has not abandoned the principle of a European defence identity, independent of NATO (Cogan, 1995), nor indeed its own ambitions as a world power (Le Gloannec, 1997). As Alain Richard told fellow defence EU ministers at their historic meeting in Vienna, in October 1998; 'No one contests the importance of the transatlantic link for our security, but neither does anyone doubt that a Europe with a single currency cannot go long without a real defence and security dimension' (*Atlantic News* no. 3055). However, by accepting, through Gaullist realist logic, Europe's current dependency on the US and NATO, the reformed French policy at least ensures its own input into the process of developing ESDI within the Alliance until such a time as that dependency is broken.

If the modification of French policy towards ESDI marked more of a tactical than a strategic change, the shift in British policy constitutes an apparently complete U-turn, with profound implications for the future of European defence. The New Labour government of Tony Blair undoubtedly brought a change of style to Britain's relations with its European partners, 'offering the likelihood of more positive, constructive and reasonable behaviour' (Hughes & Smith, 1998 p.94). However, in substance the change appeared less noticeable, particularly on the issue of ESDI. The Labour Party's manifesto for the May 1997 election stated that, in common with the Conservative government of John Major; 'We favour practical arrangements so that the WEU and EU can work effectively alongside each other, as separate institutions.' This commitment was restated during the Amsterdam IGC, Defence Secretary George Robertson restating that; 'we will be working for better co-operation between the European Union and the Western European Union, but not for merger between them.' (Speech at WEU Ministerial Council, 13/5/1997) Having successfully pursued this line at Amsterdam, Blair told the House of Commons in his Statement on the Treaty; '...getting Europe's voice heard more clearly in the world will not be achieved through merging the EU and WEU or developing an unrealistic common defence policy...' (Speech, House of Commons, 18/6/1997).

The British review of European defence stemmed from a dual assessment within the Foreign Office of Britain's role in Europe and Europe's role in the world (de Puig 1999, interview UK Delegation to NATO, March 1999). Investigation of the latter issue concluded, particularly in the light of events in the Balkans, that a successful CFSP would require access to defence capabilities. Meanwhile, the former study suggested that British military assets could be used to provide this capacity while

also winning approval from its European partners for taking a lead on European defence (Grant in de Puig, 1999). Consequently, at an informal meeting of the European Council in October 1998 at Pörschach in Austria, Tony Blair opened the debate on security and defence. The British Prime Minister called on Europeans to increase their defence capacity in order to fulfil their responsibilities in situations such as the Kosovo crisis, without US involvement. Ruling out a 'euro-army', Blair stressed that it would remain up to individual nations to decide on the deployment of troops that would remain under NATO authority, restating the British stance that; 'Nothing must happen that in anyway impinges on the effectiveness of NATO' (*The Times*, 21/10/1998).

Despite some scepticism among its European partners, the British government continued to develop their ideas. Speaking at the first informal meeting of the EU's defence ministers in Vienna, on October 4th, George Robertson stressed the need for 'armed forces that are deployable and sustainable, that are modern, powerful and flexible, that are mobile, survivable and highly capable.' In addition, he explained, it would be necessary to ensure that the institutional mechanisms, to translate political will into military capability, worked effectively. These mechanisms already existed, but 'procedures are complicated' and therefore needed to be 'streamlined.' He suggested four options; merger of the WEU into the EU; 'merging some elements of the WEU into the EU and associating other elements more closely with NATO;' reinforcing the European pillar of NATO; or 'reinforcing and reinvigorating the WEU.' Of all the options advanced, the admission that 'we do not rule it (WEU/EU merger) out,' marked the most significant, if still hesitant, departure for British policy (*Atlantic News* no. 3055, 5/11/1998).

The debate was given further impetus in December 1998, when Prime Minister Blair and President Chirac, at their summit in St. Malo, issued a joint declaration.⁵³ Although the Anglo-French summit has become an annual event, this was the first time that Britain and France, as opposed to Germany and France, had been at the forefront of pushing for an important new European policy. But, as President Chirac noted, Britain and France are ‘the only two European powers with a strong diplomatic and military capability,’ (*Financial Times*, 5-6/11/1998) and hence able to lead the development of a European ‘superpower’ (*The Times*, 4/12/1998). The text of the declaration asserted that the EU needed ‘to be in a position to play its full role on the international stage.’ Consequently the Union would need, as French governments had so often asserted against their British counter-parts, to ‘have the capacity for autonomous action, backed by credible military forces, the means to decide to use them and a readiness to do so, in order to respond to international crisis.’ (St. Malo Declaration, paragraph 2). It was further agreed that, in line with both traditional British and French policy, decision-making on defence issues should take place in the European Council, within the framework of CFSP, on a purely intergovernmental basis (*ibid.* paragraph 1). Member states would maintain their commitments to NATO ‘which is the foundation of the collective defence of its members,’ (*ibid.* paragraph 2) thus gaining for the British an explicit commitment from the French government towards the Atlantic Alliance. Finally, the two leaders lent their support for the development of an EU capacity for autonomous action, backed up by suitable structures and credible forces ‘without unnecessary

⁵³ See Appendix D

duplication' of NATO, while continuing to have recourse to NATO and other military means when necessary (ibid. paragraph 3).

Undoubtedly, British policy on European defence underwent a significant change between Amsterdam and St. Malo. This was due to a combination of factors. As with previous initiatives, events in the Balkans provided an illustration of what Europeans should, but could not, do to manage a crisis in their own back yard. As the Prime Minister explained in a newspaper interview, the crisis in Kosovo had underlined the need for Europeans to 'think more boldly and imaginatively' about defence and be able to 'speak and act more effectively' (*The Times*, 21/10/1999). As one commentator observed, Blair had gone to St. Malo 'frustrated that the Americans were running the show on Kosovo and the Europeans were not' (*International Herald Tribune*, 1/3/1999).

Within the EU initial reaction to the British initiative was cautious, suspecting that Britain was using defence as its last remaining trump card to influence European decision-making. As one Dutch official observed, 'Britain feels it has to make a gesture to balance its self-imposed exclusion from the euro, but it is not clear how far this goes' (*The Times*, 22/10/1999). The British government was also chastised for its unilateral support for the US bombing of Iraq in December 1998, and for allowing the merger of two British defence contractors at the expense of an Anglo-German or Anglo-French union. However, as the British have continued to show their support for the development of ESDI, so their sincerity has come to be accepted (interviews, NATO, Council Secretariat, DG1A). As a result it is possible that the "one day"

when the EU becomes a defence organisation is ‘perhaps brought closer by the latest British-led debate on European defence’ (Bailes, DUPI 24/3/1999).

Nevertheless, the newly found enthusiasm for European defence has continued to be qualified by traditional British concerns. There is no role in the Franco-British proposals for the European Parliament, Court of Justice and the Commission in decision-making concerning military matters. Moreover, the preservation of the transatlantic link remains Britain’s primary objective. Indeed, the strengthening of the transatlantic link remains one of the British government’s key objectives; as Blair told a conference celebrating NATO’s fiftieth anniversary;

‘To retain US engagement in Europe, it is important that Europe does more for itself. A Europe with a greater capacity to act will strengthen both the European Union and the Alliance as a whole.’ (Speech at RUSI, 8/3/1999)

This is, however, a difficult balance to achieve – to give Europeans the capacity to do more, while not appearing to challenge NATO and the American commitment to the continent. While Europeans lack sufficient resources of their own, US support for ESDI remains essential if it is to develop further; as negotiations for the loan of US assets and capabilities to WEU-led CJTFs demonstrated. American support for an enhanced European pillar of NATO has traditionally been ambiguous. Writing after the St. Malo agreement US Secretary of State, Madeleine Albright, outlined the US position. Welcoming the Anglo-French initiative and European efforts to take greater responsibility for security in their own backyard, she stated that; ‘European efforts to do more for Europe’s own defence make it easier, not harder, for us to remain engaged.’ (*Financial Times*, 7/12/1998) However, reservations remained, summed up by the ‘three Ds,’ namely; decoupling of the transatlantic link, as maintained through NATO; duplication of defence resources in NATO and the EU; and

discrimination against NATO members who are not also members of the EU. (Ibid.) Deputy Secretary of State Strobe Talbot added to US requirements that the development of ESDI ‘carries an obligation for the highest possible degree of transparency and consultation.’ Thus avoiding the ‘three Ms;’

‘If ESDI is misconceived, misunderstood or mishandled, it could create the impression – which could lead to the reality – that a new European-only alliance is being born out of the old, trans-Atlantic one. If that were to happen it would weaken, perhaps even break, those ties... that bind our security to yours.’ (Speech at RUSI, 8/3/1999)

US support for ESDI therefore remains, as the American Ambassador to the UK, Philip Lader, explains, ‘sincere but qualified’ (interview, BBC TV 6/3/1999). While US support is crucial both in terms of providing operational capabilities and long-term security for Europe, American sensitivities will have to be taken seriously with regard to the future development of ESDI. Britain is particularly well placed to provide such assurances, as the assumption remains, both in the US and in Europe, that the British will keep the US informed of developments, while resisting any move that would threaten the integrity of the Atlantic Alliance (interview DG 1A, March 1999). The transformation of British and French policy on European defence is therefore of particular significance in leading to potentially greater European capacity to provide security with a military element. However, the basis for such a capability remains with the member states rather than the EU i.e. at the national not the supranational level.

The Future of the WEU

The transformation of British policy towards European defence removed one of the major political obstacles that had existed during the Amsterdam IGC, to bringing the EU and WEU closer together, and ultimately some sort of merger between the two

institutions (Bailes, DUPI 24/3/1999), thus endowing the EU with the means to pursue a military security role. Indeed, as one WEU official commented, 'now the aim of the WEU is to disappear' (interview, WEU March 1999). However, there was no one programme for the future evolution or dissolution of the WEU. Six broadly defined alternatives were identified, ranging from consolidation of existing arrangements to the wholesale merger of the WEU into the EU. The later option was by far the most radical and consequently could be immediately ruled out. Both Britain and France maintained their traditional animosity towards suggestions that supranational European institutions should have a role in defence. Given that it was necessary to devise a separate 'pillar' for foreign and security policy, defence was even less likely to become fully communitarised. The second alternative was, therefore, to add defence to the second pillar, as a logical extension of CFSP, possibly with special provisions for decisions or actions with defence implications. This option would have the advantage of bringing defence within the Union without the need to replicate decision-making procedures. As one WEU official observed, 'one of the problems of WEU at the moment is the fact that it is one step removed from the political... policies that are developed within CFSP' (Ibid.). Alternatively defence could form a fourth pillar, with its own institutional mechanisms, along the lines of the provisions for EMU (Howe, 1996; Jopp, 1998; Bailes, 1999b). This would have provided flexibility to accommodate the different stances on defence of EU member states, from the neutral countries to full members of NATO, although it would not have addressed the duplication of decision-making procedures in the WEU/EU relationship. A further alternative would have been to divide the functions of the WEU, placing its political role within the EU and its military functions in NATO. Thus decision-making would have been streamlined and duplication of

NATO structures avoided, but at the possible cost of reinforcing Europe's reliance upon the USA. The final two options would have been to retain the WEU as a separate but rejuvenated institution at the disposal of the EU for military operations and/or to further strengthen the European pillar of NATO. Either of these solutions would have served to consolidate rather than transform the status quo as established by the Treaty of Amsterdam. Ironically the change in British policy effectively moved the European defence debate into its post-Amsterdam phase before the Treaty itself was ratified (in May 1999)!

The potential problems raised as a result of EU/WEU merger have already been discussed: principally differing membership, deficient European defence capabilities and resources, inappropriate financial arrangements and a perceived challenge to NATO and the US commitment to Europe. Nevertheless, at the European Council meeting in Cologne in June 1999, EU heads of state and government called upon the General Affairs Council to define 'the modalities for the inclusion of those functions of the WEU which will be necessary for the EU to fulfil its new responsibilities in the area of the Petersberg tasks.'⁵⁴ The expectation was expressed that by the end of 2000 'the WEU as an organisation would have completed its purpose' (Cologne European Council Declaration on Strengthening the Common European Policy on Security and Defence, 3-4 June 1999, para. 5). The German Presidency's report on strengthening CFSP was also approved and adopted as reflecting a consensus among the Member states (Ibid. para.4). Amongst the proposals put forward by this paper were that decision-making should take place 'within the framework of the CFSP,' but subject to 'appropriate procedures in order to reflect the specific nature of

⁵⁴ In other words develop a capacity for peacekeeping type missions but not Article 5 collective defence.

decisions in this field' (German Presidency Report on Strengthening of the common European policy on security and defence, 16/3/199, para.2). In particular mechanisms should be in place to ensure political control and strategic direction for the EU to decide and conduct Petersberg missions effectively. These could include regular or ad hoc meetings of EU Defence Ministers; the creation of a Political and Security Committee, consisting of representatives with political and military expertise; an EU Military Committee; a military staff, including a situation centre, a Satellite Centre and Institute for Strategic Studies (which already exist in the WEU). Above all, however, Member states 'will retain in all circumstances the right to decide if and when their forces are deployed' (Ibid. para. 3).

In terms of actual military forces the emphasis remains on the use of NATO assets and capabilities, and failing that other national and multi-national units made available by Member States. To ensure the viability of the former it is necessary to ensure EU access to NATO planning capabilities and the availability of pre-identified NATO assets and capabilities to European-led operations (Ibid. para.4).

With regard to membership, all EU members should be able to participate fully, and on an equal footing, in EU operations. Problems could conceivably arise when involving the neutral, non-NATO states and Denmark, who despite accepting the inclusion of the Petersberg Tasks in the Treaty of Amsterdam, continue to hold reservations about becoming involved in operations that risk escalation. There is a dual-risk of either forcing neutrals into 'arrangements incompatible with their current positions,' or by excluding them, potentially 'enabling them to enjoy the benefits of membership without incurring any obligations in the field of defence' (Coffey, 1998

p.126). At the very least special account will have to be taken of those states actually contributing forces to an operation. Moreover, membership within the EU of neutral states provides further logic for the maintenance of the exclusive role of NATO in providing territorial defence. However, how long this position can be maintained in the context of the 'longer-term ambition for a truly comprehensive European defence in the EU framework,' remains to be seen (Bailes DUPI, 1999 p.11). Provisions will also be required for non-EU European members of NATO to enjoy the fullest possible involvement in EU operations (German Presidency Report, para 5). This will be particularly important when such states are contributing forces and have the capacity, within NATO, to bloc the use of Alliance assets and capabilities to European-led operations.⁵⁵

For their part NATO heads of state and government, at NATO's fiftieth anniversary summit in Washington, in April 1999, welcomed 'the new impetus given to the strengthening of a common European policy in Security and defence' and acknowledged 'the resolve of the European Union to have the capacity for autonomous action' (NATO Press Communiqué NSC-S (99) 64 – 24 April 1999, para. 6). In stark contrast to the Berlin Communiqué that referred only once to the EU, as opposed to twenty-eight times to the WEU (Van Orden 1997, p. 124), the Washington Communiqué specifically refers to ensuring 'ready assess by the **European Union** to the collective assets of the Alliance,' for 'EU-led operations.' (emphasis added: NATO Press Communiqué NSC-S (99) 64 – 24 April 1999 para. 10). Although the Alliance's new Strategic Concept is more cautious, preferring the wording 'WEU or as otherwise agreed' (NATO Press Communiqué NSC-S (99) 65 –

⁵⁵ This would serve, de facto, to associate these states (Norway, Turkey, Czech Republic, Hungary & Poland) more closely with CFSP, something Turkey in particular welcomes (interview, Turkish Delegation to WEU, March 1999).

24 April 1999). Nevertheless, it was agreed to work on mechanisms to assure EU access to NATO planning capabilities; the availability of pre-identified NATO assets and capabilities to EU-led operations; and the further development of NATO command structures, in particular to enable Deputy SACEUR to ‘assume fully and effectively his European responsibilities’ (NATO Press Communiqué NSC-S (99) 64 – 24 April 1999).

Finally, it was decided at the Helsinki European Council⁵⁶ that the EU will effectively absorb the ‘Petersberg parts’ of the WEU into the second pillar, through self-created mechanisms, rather than a mechanical merger. Consequently, Defence Ministers will meet in the General Affairs Council, when discussing the Common European Security and Defence Policy (CESDP), to provide guidance on defence matters (Helsinki European Council Presidency Conclusions, 8 December 1999, para. 14). Furthermore, a standing Political and Security Committee, a Military Committee and a Military Staff, will be established to ‘enable the Union to take decisions on EU-led Petersberg operations and to ensure, under the authority of the Council, the necessary political control and strategic direction of such operations (ibid. para. 3). All fifteen members of the Union will participate equally in the new structures, focusing the political pressure on to the non-EU Europeans. It was also agreed to accept Anglo-French proposals for a rapid reaction force by 2003, made up of 50,000 to 60,000 personnel and deployable within sixty days for up to a year, to carry out the full range of Petersberg tasks (ibid. para.28). However, it was also stressed that contributions to such a force would be on a voluntary basis, would not duplicate NATO and ‘does not imply the creation of a European army’ (ibid. para

⁵⁶ See Appendix E.

27). Once again the emphasis remains on individual member states choosing to act collectively, rather than the creation of a supranational security organisation.

Conclusion

The political groundwork for the merger of the WEU into the Second Pillar of the EU, leaving aside any Article 5 commitment, would therefore appear to be in place. However, a number of practical difficulties remain which need to be addressed if ESDI is to serve to strengthen rather than weaken CFSP. Firstly, while there may be the political will to institutionalise ESDI, consensus within CFSP itself has not been widely apparent. Member states have continued to by-pass CFSP, seeking unilateral or bilateral solutions to international crises e.g. Britain's support for US bombings on Iraq, the Contact Group on Kosovo. However, it is the very inability of member states to co-ordinate a response to such events that has precipitated the latest move towards developing ESDI. This suggests that extrogeneous forces exert greater integrationist pressure than internal spillover. During the Cold War the primary external threat to Western Europe, as posed by the Soviet Union, was met through alliance with the US. The EC was thus able to fulfil its economic goals without worrying about security. Since the end of the Cold War however, security, even military security, has returned to the EU's agenda. No longer faced by one external threat and with US commitment to Europe less assured, Europe is faced with diverse and multi-directional risks that threaten to unravel the EU's claim to provide security in Europe. If the EU fails to address these issues, it is in danger of appearing either irrelevant or at best confined to exercising a hybrid type of civilian power.

At an apparently more mundane level, it will be necessary for the EU 'whose staffs, procedures and budgets were designed for quite different purposes,' to be 'adapted to the distinctive and often life-and-death demands of efficiency in defence' (Bailes, 1999a p.5). The decision-making procedures of pillar two will obviously have to be adapted to take account of national sensitivities on defence and to assimilate military personnel. There is some scepticism amongst WEU and NATO officials as to the ability of the EU to undertake such an institutional and cultural transformation (interviews, NATO HQ & WEU Secretariat, March 1999). One official compared the EU's attitude towards merger to someone buying a flash new car without understanding how everything works. Although refuted by EU officials (interviews, Council Secretariat & DG 1A, March 1999), the very fact that such an impression exists leads one to question whether the EU knows what it is taking on with defence.

The potential impact of the EU assuming a defence capability could serve to transform the very nature of the Union. If the military role of the EU was to remain confined to areas of 'soft' security, ESDI could be viewed as 'merely adding a military element to external policy options' available to CFSP (interview, WEU Secretariat, March 1999). However, should a limited military capability lead to further integrationist pressures, military and political, it could come 'close to the establishment of the EU as a supranational organisation.' (Coffey, 1998 p.126) This, after all, was the conclusion of those who framed the aborted treaty establishing a European Political and Defence Community in the early 1950s. Such theoretical conjecture is, perhaps premature. There is a danger of reading more into current events, such as the Anglo-French initiatives, than history may warrant. Moreover, while some of the political obstacles to ESDI have been removed, many practical

issues remain, in particular; a general lack of political consensus in CFSP, the absence of independent European defence capabilities and a reliance on the wavering support of the United States. Consequently, there remains a significant ‘gap’ between aspirations for ESDI and what EU member states are actually capable of achieving in defence.

Conclusion:

Beyond State Building: CESDP, Globalisation and the Security State

Summery

Having established a requirement to determine the 'nature of the beast' when considering the EU as an international actor, using an International Relations approach⁵⁷, it was necessary to establish those qualities commonly associated with the modern state as a unique actor on the international arena. In particular, the apparent significance of the provision of security and military power in a state's make-up was defined. Political theorists since Thomas Hobbes have defined the state in terms of its relationship vis-à-vis society, in which the need to provide external security is more or less assumed as a precondition for state-society relations. Max Weber provides a useful structural definition of the state, formed around four independent elements - monopoly, territory, legitimacy and force. No one element can exist without the other, but it is the exclusive right to use force, which alone distinguishes the state. The danger here was to be drawn into a circular argument whereby it is established that a state possesses certain attributes, the EU does not have these therefore to become a state the EU must acquire them. This would have lead to a restrictive approach, overlooking the significance of the EU as part of the transformation of the nature of governance in the international system. Indeed the EU could be constructed as either a dependent or independent variable in this process, whereby it is both a cause and/or a consequence of change.

⁵⁷ An IR approach is adopted in preference to using the tools of Comparative Politics on the basis that foreign and security policy remain, within the context of European integration, dominated by intergovernmental decision-making and are still in the *process* of becoming integrated (see introduction).

An investigation of International Relations theory (Waltz, Hoffmann, Koehane, Morgenthau, Buzan, and Nye) failed to produce a comprehensive definition of the state. The main schools of rationalist thought, from Realism to Liberalism, fail to fully conceptualise the state, which is subsequently either assumed or dismissed as a unit of analysis. However, it is possible to glean an image of the state as a legally based organisation of people on a territorial basis, which constitutes a unique actor on the international stage. It is unique because it alone possesses the capability to decide the life and death of its and its neighbours' population.

However, the status of the state as the most important and powerful international actor is increasingly challenged by the effects of globalisation, which make national regulation increasingly problematic, and by the rise of international and supranational institutions, of which the EU is the most sophisticated. Within this context the role and structure of the state is being transformed, as is evidenced through an analysis of contemporary discourses on security. Conventionally defined as 'a condition of the state, to be achieved by the state through the instrumentality of state military power,' (McSweeney 1999, p.36) security has traditionally been conceived as a highly state-centric concept. However, particularly since the end of the Cold War the nature of security is perceived to have changed both in terms of the security agenda and, perhaps most significantly, the assumption that the state is the primary referent object of security. These two processes are related; as economic, social, environmental and demographic issues come to be viewed increasingly in terms of posing a threat that needs to be addressed, so the unit for addressing these issues is also redefined, downwards towards the individual and society, and upwards to the regional and global level. This poses a fundamental challenge to the conceptualisation of

security as primarily guarding 'the state against those objective threats that could undermine its stability and threaten its survival' through the utilisation of its monopoly over the legitimate use of force. (Lipshutz 1995 p.5) Moreover, it is necessary to recognise that the changing perception of security reflects not only the transformation of the international system, precipitated by the end of the Cold War and the spread of globalisation but also, potentially, a fundamental shift in the nature and role of the state (Clark 1998) and therefore, by extension, perceptions of the evolution of the EU. The EU may thus be alternatively viewed as an emerging new state that needs to be made secure in the traditional national security sense, as simply a variant of classic liberal collective security or as the product of changing concepts of security.

Similar issues were confronted when considering foreign policy, another overtly statist concept, which is challenged by globalisation's blurring of the distinction between the domestic and the foreign and the increasing salience of economic, cultural, social and environmental issues on the global agenda. Moreover, as with security, foreign policy has traditionally been regarded exclusively as a state activity, to thus attribute the EU with a foreign policy capability, distinct from its constituent states, challenges traditional notions of international actors, defined as states, towards a ' "mixed actor" version of the international arena,' with its alternative emphasis, away from sovereignty, recognition and territoriality, towards attributes of 'autonomy, representation and influence.' (Hill 1994a, p. 456)

Before reaching a conclusion as to the possible outcome of the EU developing its own foreign and security policy, the utility of the main theories of integration, as

tools for understanding the development of state-like structures, within the context of changing perceptions of the state and security, was considered. The federal, functional, neo-functional and liberal institutionalist approaches to integration all reveal insights into both the expansion of European integration into political sphere and the reasons for its, so far limited, success. However, no one approach is capable of explaining the stop-go nature of integration. The best that can be achieved is a synthesis. Neo-functionalism helps identify the underlying integrationist pressures, resulting from the spillover of economic to political integration, the entrepreneurial role of supranational institutions and the importance of socialisation in developing a co-operation reflex. While these processes have been at work in foreign and security policy they have not manifested themselves in irresistible integrationist logic. In order to account for the slowing down or pauses in integration it is therefore more necessary to apply a more intergovernmentalist approach, such as Moravcsik's (1999a) liberal institutionalism, which focuses upon the bargaining among member states.

From the start, member states of the European Union have sought to increase their international weight through increased co-operation and a co-ordination of foreign policy. Consequently, foreign, security and even defence policy have been on the European agenda since the late 1940s, culminating in the defeat of the European Defence Community in 1954. With this failure the 'two dominant parameters of European security,' during the Cold War were set, namely 'the pre-eminence of NATO and the clear separation of defence issues from the institutions of European integration' (Menon 1996, p.265). However, by the late 1960s Foreign policy had returned to the European agenda, as cracks appeared in the Atlantic Alliance and

third parties, affected by the Community's growing economic weight, sought a European 'political' interlocutor' (Ifestos 1987, p.137). Consequently, 1970 witnessed the introduction of European Political Cooperation (EPC), intended to enable a 'united Europe' to assume 'its responsibilities in the world of tomorrow and to make a contribution commensurate with its traditions and mission' (Hague Summit Declaration in Lodge 1989, p.228). However, EPC was to remain an intergovernmental framework for policy coordination, lying outside the Community treaties until the Single European Act in 1986. Indeed, EPC provided an alternative to functional/neo-functional or federal integration, contributing to the political unity of the European Community while preserving the national independence of the member states in foreign and security policy (Ifestos 1987).

With the collapse of Communism in Eastern Europe and the fall of the Berlin Wall in 1989, the whole nature of security in Europe changed, apparently propelling the Community towards a new and expanded role (Allen & Smith 1990). The Treaty of Maastricht's proclamation that, '[a] common foreign and security policy is hereby established,'(Article.J) was, therefore intended as a qualitative leap forward, enabling the Union and its member states to rise to new challenges and opportunities. But, CFSP remained outside the Community Treaties, constructed instead as a second 'pillar' of European Union. Moreover, in the wake of its perceived failure in the Former Yugoslavia, of institutional wrangling, and the 'go it alone' preferences of the big member states, any initial assessment of CFSP could hardly fail to conclude that European co-operation in foreign and security policy seems destined to remain, essentially, intergovernmental.

The difficulties encountered at Maastricht in reaching an agreement were reflected in the intention, written into the TEU, to hold a further Intergovernmental Conference, a Maastricht II, in 1996. CFSP, and in particular the future of the WEU as the 'defence arm' of the Union, were expected to dominate the agenda. However, in the wake of the difficulties encountered with the ratification of Maastricht only limited reforms were possible under the ensuing Treaty of Amsterdam, which is perhaps most accurately characterised as an exercise in national 'damage control.' Indeed, the introduction of constructive abstention in CFSP and the so called 'flexibility clauses' scattered through out the Treaty, challenged the very 'ethos of the Community method...equated with uniform integration,' to focus instead on 'co-ordination through more limited or different modes of regulation' (Edwards & Pijpers 1999, p.105). Ultimately, it is possible that the Community method of integration has reached its limits and that in the absence of spillover from EMU to political union the EU will continue as a hybrid mix of supranational governance and intergovernmental co-operation (Moravcsik & Nicolaidis 1999: Gourlay & Remacle 1998). CFSP would remain, in this context, 'limited to some non-vital sectors of co-operation or 'low intensity' crisis management in near by regions,' while 'the Union will remain largely a civilian power under the security umbrella of the US' (Gourlay & Remacle 1998, p.90).

However, the military aspects of security returned to the European agenda at Maastricht with the commitment, if rather tentative, to the 'eventual framing of a common defence policy, which might in time lead to a common defence' (Article J4.1). The WEU was tasked to 'elaborate and implement decisions and actions of the Union which have defence implications.'(ArticleJ.4.2). In order to understand how this might work it was

necessary to examine the transformation of NATO since the end of the Cold War and, in particular, the development of a European Security and Defence identity within the Alliance. The Combined Joint Task Force concept provides the mechanism whereby the WEU can use NATO assets and capabilities to act as the defence arm of the EU, thus adding credibility to the CFSP and enhancing the potential for the EU to act more effectively on the international arena. However, the CJTF 'is not simply a Euro-friendly afterthought in NATO's restructuring process' (Cornish 1996, p.763). It is part of NATO's wider restructuring which will allow it to take on new roles and missions; moreover, the containment of an ESDI *within* the Alliance will 'enable the development and growth of ESDI to be carefully controlled' (ibid, p.764). As for the WEU, the 1996 IGC failed to move entrenched national positions, most notably the British, beyond the Maastricht compromise. However, the dramatic shift in British policy, marked in December 1998 by the Anglo-French declaration at St. Malo, made some form of merger between the EU and WEU possible. Consequently, member states were able, at the Helsinki European Council Summit in December 1999, to agree terms for the inclusion of WEU functions, minus provisions for Article 5 territorial defence (which is the preserve of NATO anyway) into the second pillar.

The evolution of the WEU provides morsels of hope for the neo-functionalist, that economic integration may spillover into political and security integration, however, this has not led to a reorientation of loyalties at the elite level, let alone among European citizens, for whom the nation state remains the legitimate source of security. Even, as Forster observes, 'the most integrationist governments are hesitant advocates of the 'Community method' for defence (and foreign) policy issues' (Forster 1997, p.310). This would appear to support realist/neo-realist expectations

that co-operation on military affairs remains the preserve of intergovernmental arrangements. It also provides evidence to support a liberal-institutionalist approach; neo-functionalist spillover pressures exist, but it takes a shift in the policy of key governments for integration to move forward. Meanwhile, at the operational or functional level, increased European co-ordination has developed as of necessity to deal with peace keeping and humanitarian tasks. Working under multi-national command has become the accepted norm. The difficulties encountered by such operations suggest that the main barriers to further co-operation/integration lie in a lack of political will to take decisive military action (Jackson 2000).

Conclusions

To return to the initial starting point of the thesis, it was proposed that ‘security and defence strike at the very *raison d’être* of states, namely the ability to defend and uphold the lives and property of their citizens.’ (Salmon 1993, p219). Indeed, this position provides the basis for traditional realist/neo-realist IR and Strategic Studies, as well as informing the majority of popular debate concerning the EU’s foreign and security policy. From this follows the proposition that as the EU acquires the ability to protect and promote the interests of its citizens so it will be taking on core functions of the state and hence assuming many of the characteristics of the state as an international actor.

However, as contemporary discourses on the state and security suggest the centrality of the state on the global arena and as the referent object of security is challenged by the transnational forces associated with globalisation. Within this context security has been re-conceptualised to the extent that almost any issue perceived to pose a

threat could be described in terms of security. Consequently, the nature and means by which such a threat might be met have also been redefined towards the economic, social, cultural and environmental. Subsequently the state's role in providing security can be seen as marginalized in at least two respects. Firstly, these 'new' security issues are not practically reducible to the national level, but rather up to the transnational or even supranational level, or down to the levels of societies and individuals. Secondly, as security becomes de-militarised so the state's monopoly over the legitimate use of force becomes less significant in defining the state as a unique international actor. Consequently, it could be argued that within such a context, the EU's acquisition of a security and defence identity is of lesser significance than it might have been in the international environment of fifty years ago. Moreover, as non-military issues come to dominate the global agenda, so the Union's existing, essentially economic and civilian external relations arguably acquire a greater significance.

The challenge then becomes how to conceptualise the EU's acquisition of a foreign policy and security identity. Theories of integration were employed in this thesis in an attempt to explain the internal mechanisms leading to the development of new policy areas and structures. The neo-functionalist concepts of spillover, politicisation and externalisation (Haas 1968, Haas & Schmitter 1964, Schmitter 1969) proved useful in identifying underlying trends, and it may be that defence could become susceptible to these pressures. This will ultimately depend on whether it is possible to regard security or defence as just another function, ripe for integration (Foster 1997, Krupnick 1996), or to follow a most constructivist approach, whether identities can be re-defined at the European level (Adler 1992,

Waever 1995). The federal approach also proved useful in highlighting the significance of defence and security in the development of multi-national state structures (Wheare 1946), and by providing a gauge for integration along the confederal/federal continuum (Forsyth 1981). Meanwhile, intergovernmental approaches highlighted the evident importance of intergovernmental bargaining in determining the outcome of common policies, themselves conditioned by previous bargains (Moravcsik 1999a). However, these approaches need to be adapted to account for the epistemological changes occurring in the conceptualisation of the state and security, something beyond the immediate remit of this thesis.

Indeed there would appear to be a general discrepancy between contemporary theoretical literature on the state and security, and the conventional language used to describe CFSP and ESDI by those involved in the process itself, as evidenced in the empirical chapters. Therefore, while it might be theoretically unsound to conceive of the EU developing state-like structures (Ruggie 1993) to many of the politicians involved (and by extension the media and general public) the acquisition by the EU of a foreign policy and security/defence identity remains bound up with the achievement of statehood. However, such a perspective over-looks the degree to which states are no longer, assuming they ever were, able to produce their own security. Attempts to co-ordinate foreign and security policies through the EU can therefore be viewed equally as an attempt by its member states to achieve collectively what they are unable to do individually as it can be viewed as a challenge to individual state sovereignty. Indeed it was the former of these considerations that first lead EC member states to embark upon European Political Co-operation.

Given the persistence of intergovernmental decision-making in determining the evolution and content of the EU's foreign and security policy, it is perhaps easier to portray its development as the response of member states to global forces, rather than the imposition of supranational governance upon sovereign states made impotent in the wake of globalisation. As such, rather than leading to the development of an EU super-state, CESDP adds another means of implementing CFSP, which itself is far from becoming a truly 'common,' let alone 'single,' policy for Europe. Nevertheless, it does make the EU a more complete international actor, resembling the state more than any other actor on the international stage. As states themselves lose some of the traditional assets of statehood, so the acquisition by the EU of similar assets could make the two entities more alike. Alternatively, CFSP/CESDP could be viewed as adding to the capabilities of the individual member states rather than the Union as a whole, producing quite different results.

As Helen Wallace observes, European defence is being constructed outside the Community framework, thus underpinning 'intensive transgovernmentalism' rather than 'communitarization' (H. Wallace 2000, p.6). Transgovernmentalism goes beyond intergovernmentalism in that it implies a 'greater intensity' of relations across, as well as between, member governments who are prepared to make extensive collective commitments but have 'judged the full EU institutional framework to be inappropriate or unacceptable' (ibid. p.33). Consequently, to talk in terms of the EU taking over the international representation of its citizens from the member states would be premature. However, when taken in the context of changing concepts of the state and security the acquisition, by a supranational actor, of defence

capabilities implies at the very least recognition by national governments that they are not individually capable of providing the most basic element of the state-society contract i.e. security. This incapacity is hardly new, but the means through which it is being resolved, potentially, are. As it stands CFSP/CESDP is a transgovernmental process but if internal integrative processes, global forces and national interests combine it could develop into a truly common security/defence policy for the European Union. At that point the EU would constitute a state as classically (and restrictively) defined in International Relations. Meanwhile, the greatest challenge for CFSP/CESDP remains to develop real military capabilities and the means and political will to use them in support of the Union's global interests. This in turn will require the diminution of unique national interests and a revolution in the political culture of EU institutions. The processes by which this is (or is not) achieved will doubtlessly continue to provide a wealth of material for future research into the development of the European polity.

Appendix A

Treaty on European Union Title V

PROVISIONS ON A COMMON FOREIGN AND SECURITY POLICY

ARTICLE J

A common foreign and security policy is hereby established which shall be governed by the following provisions.

ARTICLE J.1

1. The union and its Member States shall define and implement a common foreign and security policy, governed by the provisions of the Title and covering all areas of foreign and security policy.
2. The objectives of the common foreign and security policy shall be:
 - to safeguard the common values, fundamental interests and independence of the Union;
 - to strengthen the security of the Union and its Member States in all ways;
 - to preserve peace and strengthen international security, in accordance with the principles of the United Nations Charter as well as the principles of the Helsinki Final Act and the objectives of the Paris Charter;
 - to promote international cooperation;
 - to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms.

3. The Union shall pursue these objectives;
 - by establishing systematic cooperation between Member States in the conduct of policy, in accordance with Article J.2;
 - by gradually implementing, in accordance with Article J.3, joint action in the areas in which the Member States have important interests in common.
4. The Member States shall support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity. They shall refrain from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations.

The Council shall ensure that these principles are complied with.

ARTICLE J.2

1. Member States shall inform and consult one another within the Council on any matter of foreign and security policy of general interest in order to ensure that their combined influence is exerted as effectively as possible by means of concerted and convergent action.
2. Whenever it deems it necessary, the Council shall define a common position. Member States shall ensure that their national policies conform on the common positions.
3. Member States shall coordinate their action in international organizations and at international conferences. They shall uphold the common positions in such fora. In international organizations and at international conferences where not

all the Member States participate, those which do take part shall uphold the common positions.

ARTICLE J.3

The procedure for adopting joint action in matters covered by foreign and security policy shall be the following:

1. The Council shall decide, on the basis of general guidelines from the European Council, that a matter should be the subject of joint action.
Whenever the Council decides on the principle of joint action, it shall lay down the specific scope, the Union's general and specific objectives in carrying out such action, if necessary its duration, and the means, procedures and conditions for its implementation.
2. The Council shall, when adopting the joint action and at any stage during its development, define those matters on which decisions are to be taken by a qualified majority.

Where the Council is required to act by a qualified majority pursuant to the preceding subparagraph, the votes of its members shall be weighted in accordance with Article 148(2) of the Treaty establishing the European Community, and for their adoption, acts of the Council shall require at least fifty-four votes in favour, cast by at least eight members.

3. If there is a change in circumstances having a substantial effect on a question subject to joint action, the Council shall review the principles and objectives of that action and take the necessary decisions. As long as the Council has not acted, the joint action shall stand.

4. Joint actions shall commit the Member States in the positions they adopt and in the conduct of their activity.
5. Whenever there is any plan to adopt a national position or take national action pursuant to a joint action, information shall be provided in time to allow, if necessary, for prior consultations within the Council. The obligation to provide prior information shall not apply to measures which are merely a national transposition of Council decisions.
6. In cases of imperative need arising from changes in the situation and failing a Council decision, Member States may take the necessary measures as a matter of urgency having regard to the general objectives of the joint action. The Member State concerned shall inform the Council immediately of any such measures.
7. Should there be any major difficulties in implementing a joint action, a Member State shall refer them to the Council which shall discuss them and seek appropriate solutions. Such solutions shall not run counter to the objectives of the joint action or impair its effectiveness.

ARTICLE J.4

1. The common foreign and security policy shall include all questions related to the security of the Union, including the eventual framing of a common defence policy, which might in time lead to a common defence.
2. The union requests the Western European Union (WEU), which is an integral part of the development of the Union, to elaborate and implement decisions and actions of the Union which have defence implications. The Council shall,

in agreement with the institutions of the WEU, adopt the necessary practical arrangements.

3. Issues having defence implications dealt with under this Article shall not be subject to the procedures set out in Article J.3.
4. The policy of the Union in accordance with this Article shall not prejudice the specific character of the security and defence policy of certain Member States and shall respect the obligations of certain Member States under the North Atlantic Treaty and be compatible with the common security and defence policy established within that framework.
5. The provisions of this Article shall not prevent the development of closer cooperation between two or more Member States on a bilateral level, in the framework of the WEU and the Atlantic Alliance, provided such cooperation does not run counter to or impede that provided for in this Title.
6. With a view to furthering the objective of this Treaty, and having in view the date of 1998 in the context of Article XII of the Brussels Treaty, the provisions of this Article may be revised as provided for in Article N(2) on the basis of a report to be presented in 1996 by the Council to the European Council, which shall include an evaluation of the progress made and the experience gained until then.

ARTICLE J.5

1. The Presidency shall represent the Union in matters coming within the common foreign and security policy.

2. The Presidency shall be responsible for the implementation of common measures; in that capacity it shall in principle express the position of the Union in international organizations and international conferences.
3. In the tasks referred to in paragraphs 1 and 2, the presidency shall be assisted if needs be by the previous and next Member States to hold the Presidency. The Commission shall be fully associated in these tasks.
4. Without prejudice to Article J.2(3) and Article J.3(4), Member States represented in international organizations or international conferences where not all the Member States participate shall keep the latter informed of any matter of common interest.

Member States which are also members of the United Nations Security Council will concert and keep the other Member States fully informed.

Member States which are permanent members of the Security Council will, in the execution of their functions, ensure the defence of the positions and the interests of the union, without prejudice to their responsibilities under the provisions of the United Nations Charter.

ARTICLE J.6

The diplomatic and consular missions of the Member States and the Commission Delegations in third countries and international conferences, and their representations to international organizations, shall cooperate in ensuring that the common positions and common measures adopted by the Council are complied with and implemented. They shall step up cooperation by exchanging information, carrying out joint assessments and contributing to the implementation of the provisions referred to in Article 8c of the Treaty establishing the European Community.

ARTICLE J.7

The Presidency shall consult the European Parliament on the main aspects and the basic choices of the common foreign and security policy and shall ensure that the views of the European Parliament are duly taken into consideration. The European Parliament shall be kept regularly informed by the Presidency and the Commission of the development of the Union's foreign and security policy. The European Parliament may ask questions of the Councils or make recommendations to it. It shall hold an annual debate on progress in implementing the common foreign and security policy.

ARTICLE J.8

1. The European Council shall define the principles of and general guidelines for the common foreign and security policy.
2. The Council shall take the decisions necessary for defining and implementing the common foreign and security policy on the basis of the general guidelines adopted by the European Council. It shall ensure the unity, consistency and effectiveness of action by the Union. The Council shall act unanimously, except for procedural questions and in the case referred to in Article J.3(2).
3. Any Member State or the Commission may refer to the Council any question relating to the common foreign policy and may submit proposals to the Council.
4. In cases requiring a rapid decision, the Presidency, of its own motion, or at the request of the Commission or a Member State, shall convene an

extraordinary Council meeting within forty-eight hours or, in an emergency, within a shorter period.

5. Without prejudice to Article 151 of the Treaty establishing the European Community, a Political Committee consisting of Political Directors shall monitor the international situation in the areas covered by common foreign and security policy and contribute to the definition of policies by delivering opinions to the Council at the request of the Council or on its own initiative. It shall also monitor the implementation of agreed policies, without prejudice to the responsibility of the Presidency and the Commission.

ARTICLE J.9

The Commission shall be fully associated with the work carried out in the common foreign and security policy field.

ARTICLE J.10

On the occasion of any review of the security provisions under Article J.4, the Conference which is convened to that effect shall also examine whether any other amendments need to be made to provisions relating to the common foreign and security policy.

ARTICLE J.11

1. The provisions referred to in Articles 137, 138, 139 to 142, 146, 147, 150 to 153, 157 to 163 and 217 of the Treaty establishing the European Community shall apply to the provisions relating to the areas referred to in this Title.
2. Administrative expenditure which the provisions relating to the areas referred to in this Title entail for the institutions shall be charged to the budget of the

European Communities.

The Council may also:

- either decide unanimously that operational expenditure to which the implementation of those provisions gives rise is to be charged to the budget of the European Communities; in that event, the budgetary procedure laid down in the Treaty establishing the European Community shall be applicable;
- or determine that such expenditure shall be charged to the Member States, where appropriate in accordance with a scale to be decided.

Appendix B

Declaration on the Western European Union (TEU)

The Conference notes the following declarations:

I. DECLARATION

by Belgium, Germany, Spain, France, Italy, Luxembourg, the Netherlands, Portugal and the United Kingdom of Great Britain and Northern Ireland, which are members of the Western European Union and also members of the European Union on **THE ROLE OF THE WESTERN EUROPEAN UNION AND ITS RELATIONS WITH THE EUROPEAN UNION AND WITH THE ATLANTIC ALLIANCE**

Introduction

1. WEU Member States agree on the need to develop a genuine European security and defence identity and a greater European responsibility on defence matters. This identity will be pursued through a gradual process involving successive phases. WEU will form an integral part of the process of the development of the European Union and will enhance its contribution to solidarity within the Atlantic Alliance. WEU Member States agree to strengthen the role of WEU, in the longer term perspective of a common defence, compatible with that of the Atlantic Alliance.
2. WEU will be developed as the defence component of the European Union and as a means to strengthen the European pillar of the Atlantic Alliance. To this end, it will formulate common European defence policy and carry forward its concrete implementation through the further development of its own operational role.

WEU Member States take note of Article J.4 relating to the common foreign and security policy of the Treaty on European Union which reads as follows:

1. “The common foreign and security policy shall include all questions related to the security of the Union, including the eventual framing of a common defence policy, which might in time lead to a common defence.
2. The union requests the Western Union (WEU), which is an integral part of the development of the Union, to elaborate and implement decisions and actions of the Union which have defence implications. The Council shall, in agreement with the institutions of the WEU, adopt the necessary practical arrangements.
3. Issues having defence implications dealt with under this Article shall not be subject to the procedures set out in Article J.3.
4. The policy of the Union in accordance with this Article shall not prejudice the specific character of the security and defence policy of certain Member States and shall respect the obligations of certain Member States under the North Atlantic Treaty and be compatible with the common security and defence policy established within that framework.
5. The provisions of this Article shall not prevent the development of closer cooperation between two or more Member States on a bilateral level, in the framework of the WEU and the Atlantic Alliance,

provided such cooperation does not run counter to or impede that provided for in this Title.

6. With a view to furthering the objective of this Treaty, and having in view the date of 1998 in the context of Article XII of the Brussels Treaty, the provisions of this Article may be revised as provided for in Article N(2) on the basis of a report to be presented in 1996 by the Council to the European Council, which shall include an evaluation of the progress made and the experience gained until then."

A. WEU's relations with European Union

3. The objective is to build up WEU in stages as the defence component of the European Union. To this end, WEU is prepared, at the request of the European Union, to elaborate and implement decisions and actions of the Union which have defence implications.

To this end, WEU will take the following measures to develop a close working relationship with the Union:

- as appropriate, synchronization of the dates and venues of meetings and harmonization of working methods;
- establishment of close cooperation between the Council and Secretariat- General of WEU on the one hand, and the Council of the Union and General Secretariat of the Council on the other;
- consideration of the harmonization of the sequence and duration of the respective Presidencies;

- arranging for appropriate modalities so as to ensure that the Commission of the European Communities is regularly informed and, as appropriate, consulted on WEU activities in accordance with the role of the Commission in the common foreign and security policy as defined in the Treaty on European Union;
- encouragement of closer cooperation between the Parliamentary Assembly of WEU and the European Parliament.

The WEU Council shall, in agreement with the competent bodies of the European Union, adopt the necessary practical arrangements.

B. WEU's relations with the Atlantic Alliance

4. The objective is to develop WEU as a means to strengthen the European pillar of the Atlantic Alliance. Accordingly WEU is prepared to develop further the close working links between WEU and the Alliance and to strengthen the role, responsibilities and contributions of WEU Member States in the Alliance. This will be undertaken on the basis of the necessary transparency and complementarity between the emerging European security and defence identity and the Alliance. WEU will act in conformity with the positions adopted in the Atlantic Alliance.

- WEU Member States will intensify their coordination on Alliance issues which represent an important common interest with the aim of introducing joint positions agreed in WEU into the process of consultation in the Alliance which will remain the essential forum for consultation among its members and the venue for agreement on

policies bearing on the security and defence commitments of Allies under the North Atlantic Treaty.

- Where necessary, dates and venues of meetings will be synchronized and working methods harmonized.
- Close cooperation will be established between the Secretariats-General of WEU and NATO.

C. Operational role of WEU

5. WEU's operational role will be strengthened by examining and defining appropriate missions, structures and means, covering in particular:

- WEU planning cell;
- closer military cooperation complementary to the Alliance in particular in the fields of logistics, transport, training and strategic surveillance;
- meetings of WEU Chiefs of Defence Staff;
- military units answerable to WEU.

Other proposals will be examined further including:

- enhanced cooperation in the field of armaments with the aim of creating a European armaments agency;
- development of the WEU Institute into a European Security and Defence Academy.

Arrangements aimed at giving WEU a stronger operational role will be fully compatible with the military dispositions necessary to ensure the collective defence of all Allies.

D. Other measures

6. As a consequence of the measures set out above, and in order to facilitate the strengthening of WEU's role, the seat of the WEU Council and Secretariat will be transferred to Brussels.
7. Representation of the WEU Council must be such that the Council is able to exercise its functions continuously in accordance with Article VIII of the modified Brussels Treaty. Member States may draw on a double-hatting formula, to be worked out, consisting of their representatives to the Alliance and to the European Union.
8. WEU notes that, in accordance with the provisions of Article J.4(6) concerning the common foreign and security policy of the Treaty on European Union, the Union will decide to review the provisions of this Article with a view to furthering the objective to be set by it in accordance with the procedure defined. The WEU will re-examine the present provisions in 1996. This re-examination will take account of the progress and experience acquired and will extend to relations between WEU and the Atlantic Alliance.

II. DECLARATION

by Belgium, Germany, Spain, France, Italy, Luxembourg, the Netherlands, Portugal and the United Kingdom of Great Britain and Northern Ireland which are members of the Western European Union.

"The Member States of WEU welcome the development of the European security and defence identity. They are determined, taking into account the role of WEU as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance, to put the relationship between WEU and the other European States on a new basis for the sake of stability and security in Europe.

In this spirit, they propose the following:

States which are members of the European Union are invited to accede to WEU on conditions to be agreed in accordance with Article XI of the modified Brussels Treaty, or to become observers if they so wish. Simultaneously, other European Member States of NATO are invited to become associate members of WEU in a way which will give them the possibility of participating fully in the activities of WEU . The Member States of WEU assume that treaties and agreements corresponding with the above proposals will be concluded before 31 December 1992."

Appendix C

Treaty of Amsterdam

TITLE V

Provisions on a common foreign and security policy

Article J.11

1. The Union shall define and implement a common foreign and security policy covering all areas of foreign and security policy, the objectives of which shall be:

- to safeguard the common values, fundamental interests, independence and integrity of the Union in conformity with the principles of the United Nations Charter;
- to strengthen the security of the Union in all ways;
- to preserve peace and strengthen international security, in accordance with the principles of the United Nations Charter, as well as the principles of the Helsinki Final Act and the objectives of the Paris Charter, including those on external borders;
- to promote international cooperation;
- to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms.

2. The Member States shall support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity.

The Member States shall work together to enhance and develop their mutual political solidarity. They shall refrain from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations.

The Council shall ensure that these principles are complied with.

Article J.12

The Union shall pursue the objectives set out in Article 11 by:

- defining the principles of and general guidelines for the common foreign and security policy;
- deciding on common strategies;
- adopting joint actions;
- adopting common positions;
- and strengthening systematic cooperation between Member States in the conduct of policy.

Article J.13

1. The European Council shall define the principles of and general guidelines for the common foreign and security policy, including for matters with defence implications.

2. The European Council shall decide on common strategies to be implemented by the Union in areas where the Member States have important interests in common.

Common strategies shall set out their objectives, duration and the means to be made available by the Union and the Member States.

3. The Council shall take the decisions necessary for defining and implementing the common foreign and security policy on the basis of the general guidelines defined by the European Council.

The Council shall recommend common strategies to the European Council and shall implement them, in particular by adopting joint actions and common positions.

The Council shall ensure the unity, consistency and effectiveness of action by the Union.

Article J.14

1. The Council shall adopt joint actions. Joint actions shall address specific situations where operational action by the Union is deemed to be required. They shall lay down their objectives, scope, the means to be made available to the Union, if necessary their duration, and the conditions for their implementation.

2. If there is a change in circumstances having a substantial effect on a question subject to joint action, the Council shall review the principles and objectives of that action and take the necessary decisions. As long as the Council has not acted, the joint action shall stand.

3. Joint actions shall commit the Member States in the positions they adopt and in the conduct of their activity.

4. The Council may request the Commission to submit to it any appropriate proposals relating to the common foreign and security policy to ensure the implementation of a joint action.

5. Whenever there is any plan to adopt a national position or take national action pursuant to a joint action, information shall be provided in time to allow, if

necessary, for prior consultations within the Council. The obligation to provide prior information shall not apply to measures which are merely a national transposition of Council decisions.

6. In cases of imperative need arising from changes in the situation and failing a Council decision, Member States may take the necessary measures as a matter of urgency having regard to the general objectives of the joint action. The Member State concerned shall inform the Council immediately of any such measures.

7. Should there be any major difficulties in implementing a joint action, a Member State shall refer them to the Council which shall discuss them and seek appropriate solutions. Such solutions shall not run counter to the objectives of the joint action or impair its effectiveness.

Article J.15

The Council shall adopt common positions. Common positions shall define the approach of the Union to a particular matter of a geographical or thematic nature. Member States shall ensure that their national policies conform to the common positions.

Article J.16

Member States shall inform and consult one another within the Council on any matter of foreign and security policy of general interest in order to ensure that the

Union's influence is exerted as effectively as possible by means of concerted and convergent action.

Article J.17

1. The common foreign and security policy shall include all questions relating to the security of the Union, including the progressive framing of a common defence policy, in accordance with the second subparagraph, which might lead to a common defence, should the European Council so decide. It shall in that case recommend to the Member States the adoption of such a decision in accordance with their respective constitutional requirements.

The Western European Union (WEU) is an integral part of the development of the Union providing the Union with access to an operational capability notably in the context of paragraph 2. It supports the Union in framing the defence aspects of the common foreign and security policy as set out in this Article. The Union shall accordingly foster closer institutional relations with the WEU with a view to the possibility of the integration of the WEU into the Union, should the European Council so decide. It shall in that case recommend to the Member States the adoption of such a decision in accordance with their respective constitutional requirements.

The policy of the Union in accordance with this Article shall not prejudice the specific character of the security and defence policy of certain Member States and shall respect the obligations of certain Member States, which see their common defence realized in NATO, under the North Atlantic Treaty and be compatible with the common security and defence policy established within that framework.

The progressive framing of a common defence policy will be supported, as Member States consider appropriate, by cooperation between them in the field of armaments.

2. Questions referred to in this Article shall include humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking.

3. The Union will avail itself of the WEU to elaborate and implement decisions and actions of the Union which have defence implications.

The competence of the European Council to establish guidelines in accordance with Article 13 shall also obtain in respect of the WEU for those matters for which the Union avails itself of the WEU.

When the Union avails itself of the WEU to elaborate and implement decisions of the Union on the tasks referred to in paragraph 2 all Member States of the Union shall be entitled to participate fully in the tasks in question. The Council, in agreement with the institutions of the WEU, shall adopt the necessary practical arrangements to allow all Member States contributing to the tasks in question to participate fully and on an equal footing in planning and decision-taking in the WEU.

Decisions having defence implications dealt with under this paragraph shall be taken without prejudice to the policies and obligations referred to in paragraph 1, third subparagraph.

4. The provisions of this Article shall not prevent the development of closer cooperation between two or more Member States on a bilateral level, in the framework of the WEU and the Atlantic Alliance, provided such cooperation does not run counter to or impede that provided for in this Title.

5. With a view to furthering the objectives of this Article, the provisions of this Article will be reviewed in accordance with Article 48.

Article J.18

1. The Presidency shall represent the Union in matters coming within the common foreign and security policy.

2. The Presidency shall be responsible for the implementation of decisions taken under this Title; in that capacity it shall in principle express the position of the Union in international organizations and international conferences.

3. The Presidency shall be assisted by the Secretary-General of the Council who shall exercise the function of High Representative for the common foreign and security policy.

4. The Commission shall be fully associated in the tasks referred to in paragraphs 1 and 2. The Presidency shall be assisted in those tasks if need be by the next Member State to hold the Presidency.

5. The Council may, whenever it deems it necessary, appoint a special representative with a mandate in relation to particular policy issues.

Article J.19

1. Member States shall coordinate their action in international organizations and at international conferences. They shall uphold the common positions in such fora. In international organisations and at international conferences where not all the Member States participate, those which do take part shall uphold the common positions.

2. Without prejudice to paragraph 1 and Article 14, Member States represented in international organizations or international conferences where not all the Member States participate shall keep the latter informed of any matter of common interest. Member States which are also members of the United Nations Security Council will concert and keep the other Member States fully informed. Member States which are permanent members of the Security Council will, in the execution of their functions, ensure the defence of the positions and the interests of the Union, without prejudice to their responsibilities under the provisions of the United Nations Charter.

Article J.20

The diplomatic and consular missions of the Member States and the Commission Delegations in third countries and international conferences, and their representations to international organizations, shall cooperate in ensuring that the common positions and joint actions adopted by the Council are complied with and implemented.

They shall step up cooperation by exchanging information, carrying out joint assessments and contributing to the implementation of the provisions referred to in Article 8c of the Treaty establishing the European Community.

Article J.21

The Presidency shall consult the European Parliament on the main aspects and the basic choices of the common foreign and security policy and shall ensure that the views of the European Parliament are duly taken into consideration. The European Parliament shall be kept regularly informed by the Presidency and the Commission of the development of the Union's foreign and security policy.

The European Parliament may ask questions of the Council or make recommendations to it. It shall hold an annual debate on progress in implementing the common foreign and security policy.

Article J.22

1. Any Member State or the Commission may refer to the Council any question relating to the common foreign and security policy and may submit proposals to the Council.

2. In cases requiring a rapid decision, the Presidency, of its own motion, or at the request of the Commission or a Member State, shall convene an extraordinary Council meeting within forty-eight hours or, in an emergency, within a shorter period.

Article J.23

1. Decisions under this Title shall be taken by the Council acting unanimously. Abstentions by members present in person or represented shall not prevent the adoption of such decisions.

2. When abstaining in a vote, any member of the Council may qualify its abstention by making a formal declaration under the present subparagraph. In that case, it shall not be obliged to apply the decision, but shall accept that the decision commits the Union. In a spirit of mutual solidarity, the Member State concerned shall refrain from any action likely to conflict with or impede Union action based on that decision and the other Member States shall respect its position. If the members of the Council qualifying their abstention in this way represent more than one third of the votes weighted in accordance with Article 148(2) of the TEC, the decision shall not be adopted.

3. By derogation from the provisions of paragraph 1, the Council shall act by qualified majority:

- when adopting joint actions, common positions or taking any other decision on the basis of a common strategy;
- when adopting any decision implementing a joint action or a common position.

If a member of the Council declares that, for important and stated reasons of national policy, it intends to oppose the adoption of a decision to be taken by qualified majority, a vote shall not be taken. The Council may, acting by a qualified majority, request that the matter be referred to the European Council for decision by unanimity.

The votes of the members of the Council shall be weighted in accordance with Article 148(2) of the Treaty establishing the European Community. For their adoption, decisions shall require at least 62 votes in favour, cast by at least 10 members.

This paragraph shall not apply to decisions having military or defence implications.

For procedural questions, the Council shall act by a majority of its members.

Article J.24

When it is necessary to conclude an agreement with one or more States or international organizations in implementation of this Title, the Council, acting unanimously, may authorize the Presidency, assisted by the Commission as appropriate, to open negotiations to that effect. Such agreements shall be concluded by the Council acting unanimously on a recommendation from the Presidency. No agreement shall be binding on a Member State whose representative in the Council states that it has to comply with the requirements of its own constitutional procedure; the other members of the Council may agree that the agreement shall apply provisionally to them.

The provisions of this Article shall also apply to matters falling under Title VI.

Article J.25

Without prejudice to Article 151 of the Treaty establishing the European Community, a Political Committee shall monitor the international situation in the areas covered by common foreign and security policy and contribute to the definition of policies by delivering opinions to the Council at the request of the Council or on its own initiative. It shall also monitor the implementation of agreed policies, without prejudice to the responsibility of the Presidency and the Commission.

Article J.26

The Secretary-General of the Council, High Representative for the common foreign and security policy, shall assist the Council in matters coming within the scope of the common foreign and security policy, in particular through contributing to the formulation, preparation and implementation of policy decisions, and, when appropriate and acting on behalf of the Council at the request of the Presidency, through conducting political dialogue with third parties.

Article J.27

The Commission shall be fully associated with the work carried out in the common foreign and security policy field.

Article J.28

1. Articles 137, 138, 139 to 142, 146, 147, 150 to 153, 157 to 163, 191a and 217 of the Treaty establishing the European Community shall apply to the provisions relating to the areas referred to in this Title.

2. Administrative expenditure which the provisions relating to the areas referred to in this Title entail for the institutions shall be charged to the budget of the European Communities.

3. Operational expenditure to which the implementation of those provisions gives rise shall also be charged to the budget of the European Communities, except for such expenditure arising from operations having military or defence implications, and cases where the Council acting unanimously decides otherwise. In cases where expenditure is not charged to the budget of the European Communities it shall be charged to the Member States in accordance with the gross national product scale, unless the Council acting unanimously decides otherwise. As for expenditure arising from operations having military or defence implications, Member States whose representatives in the Council have made a formal declaration under Article 23, second subparagraph, shall not be obliged to contribute to the financing thereof.

4. The budgetary procedure laid down in the Treaty establishing the European Community shall apply to the expenditure charged to the budget of the European Communities.

Appendix D

Franco-British summit Joint Declaration on European defence

Saint Malo, 4 December 1998

"The Heads of State and Government of France and the United Kingdom are agreed that:

1. The European Union needs to be in a position to play its full role on the international stage. This means making a reality of the Treaty of Amsterdam, which will provide the essential basis for action by the Union. It will be important to achieve full and rapid implementation of the Amsterdam provisions on CFSP. This includes the responsibility of the European Council to decide on the progressive framing of a common defence policy in the framework of CFSP. The Council must be able to take decisions on an intergovernmental basis, covering the whole range of activity set out in Title V of the Treaty of European Union.
2. To this end, the Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them and a readiness to do so, in order to respond to international crises.

In pursuing our objective, the collective defence commitments to which member states subscribe (set out in Article 5 of the

Washington Treaty, Article V of the Brussels Treaty) must be maintained. In strengthening the solidarity between the member states of the European Union, in order that Europe can make its voice heard in world affairs, while acting in conformity with our respective obligations in NATO, we are contributing to the vitality of a modernised Atlantic Alliance which is the foundation of the collective defence of its members.

Europeans will operate within the institutional framework of the European Union (European Council, General Affairs Council and meetings of Defence Ministers). The reinforcement of European solidarity must take into account the various positions of European states. The different situations of countries in relation to NATO must be respected.

3. In order for the European Union to take decisions and approve military action where the Alliance as a whole is not engaged, the Union must be given appropriate structures and a capacity for analysis of situations, sources of intelligence and a capability for relevant strategic planning, without unnecessary duplication, taking account of the existing assets of the WEU and the evolution of its relations with the EU. In this regard, the European Union will also need to have recourse to suitable military means (European capabilities pre-designated within NATO's European pillar or national or multinational European means outside the NATO framework).

4. Europe needs strengthened armed forces that can react rapidly to the new risks, and which are supported by a strong and competitive European defence industry and technology.
5. We are determined to unite in our efforts to enable the European Union to give concrete expression to these objectives".

Appendix E

Helsinki European Council Presidency Conclusions – 8/12/1999

II. Common European policy on security and defence

25. The European Council adopts the two Presidency progress reports (see Annex IV) on developing the Union's military and non-military crisis management capability as part of a strengthened common European policy on security and defence.

26. The Union will contribute to international peace and security in accordance with the principles of the United Nations Charter. The Union recognises the primary responsibility of the United Nations Security Council for the maintenance of international peace and security.

27. The European Council underlines its determination to develop an autonomous capacity to take decisions and, where NATO as a whole is not engaged, to launch and conduct EU-led military operations in response to international crises. This process will avoid unnecessary duplication and does not imply the creation of a European army.

28. Building on the guidelines established at the Cologne European Council and on the basis of the Presidency's reports, the European Council has agreed in particular the following:

- cooperating voluntarily in EU-led operations, Member States must be able, by 2003, to deploy within 60 days and sustain for at least 1 year military forces of up to 50,000-60,000 persons capable of the full range of Petersberg tasks;
- new political and military bodies and structures will be established within the Council to enable the Union to ensure the necessary political guidance and strategic direction to such operations, while respecting the single institutional framework;
- modalities will be developed for full consultation, cooperation and transparency between the EU and NATO, taking into account the needs of all EU Member States;
- appropriate arrangements will be defined that would allow, while respecting the Union's decision-making autonomy, non-EU European NATO members and other interested States to contribute to EU military crisis management;
- a non-military crisis management mechanism will be established to coordinate and make more effective the various civilian means and resources, in parallel with the military ones, at the disposal of the Union and the Member States.

29. The European Council asks the incoming Presidency, together with the Secretary-General/High Representative, to carry work forward in the General Affairs Council on all aspects of the reports as a matter of priority, including conflict prevention and a committee for civilian crisis management. The incoming Presidency

is invited to draw up a first progress report to the Lisbon European Council and an overall report to be presented to the Feira European Council containing appropriate recommendations and proposals, as well as an indication of whether or not Treaty amendment is judged necessary. The General Affairs Council is invited to begin implementing these decisions by establishing as of March 2000 the agreed interim bodies and arrangements within the Council, in accordance with the current Treaty provisions.

Appendix F

List of Subjects of Elite Interviews

Richard Balfe, MEP UK Labour Party, London South Inner

Fraser Cameron, European Commission, DG 1A

Cesia D’Aniello, Administrator, Secretariat of the Council of the European Union,
DG E

Rt.Hon. Tristan Garrel-Jones, former UK Secretary of State for Foreign Affairs

Leigh Gibson, Research and Analysis Unit (Western & Southern Europe) Foreign
and

Commonwealth Office

Annelisa Gianella, Head of Security Division, Secretariat of the Council of
The European Union, DG E

Ahmet Muhtar Gun, Deputy Permanent Representative of the Turkish Delegation to
WEU

Col. Nigel Hall, Staff Officer, Plans and Policy, UK Delegation to NATO

Ted Hallet, Head, Research and Analysis Unit (Western & Southern Europe) Foreign
And Commonwealth Office

Peter Hesse, Head of Defence Policy, Western European Union

Wing Commander Barry Horton, First Secretary, UK Delegation to NATO

Karin Olofsdotter, Second Secretary, Mission of Sweden to NATO and Delegation to
WEU

David Powell, Counsellor to UK Delegation to NATO

Don Smith, Budgets & Infrastructure, UK Delegation to WEU

Tom Spencer, MEP UK Conservative Party, Surrey

Gaston Stronk, Deputy Permanent Representative of Luxembourg to WEU

Richard Tibbels, Head of Policy, Political Division, WEU

Gary Titley, MEP, UK Labour Party, Greater Manchester West

Peter Truscott, MEP, UK Labour Party, Hertfordshire

Alice Walpole, First Secretary, UK Delegation to NATO

Richard Young, Research & Analysis Unit (Western & Southern Europe), Foreign

And Commonwealth Office

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